

**City Of Santee  
Regular Meeting Agenda**

**Santee City Council  
Community Development Commission  
Santee Public Financing Authority**

**Council / Commission / Authority Chamber  
10601 Magnolia Avenue  
Santee, CA 92071**

**January 24, 2007  
7:00 PM**

*(Call meeting to order as City Council/Community Development Commission/Public Financing Authority)*

**ROLL CALL:** Mayor Randy Voepel  
Vice Mayor John Minto  
Council Members Jack Dale, Brian Jones and Hal Ryan

**INVOCATION:** Bishop Randy Schimpf, Church of Jesus Christ of Latter Day Saints

**PLEDGE OF ALLEGIANCE:**

**ITEMS TO BE ADDED, DELETED OR RE-ORDERED ON AGENDA:**

**1. CONSENT CALENDAR:**

Consent Calendar items are considered routine and will be approved by one motion, with no separate discussion prior to voting. Council Members, staff or public may request specific items be removed from the Consent Calendar for separate discussion or action. Speaker slips for this category must be presented to the City Clerk before the meeting is called to order. Speakers are limited to 3 minutes.
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**(A) Approval of Reading by Title Only and Waiver of Reading in Full of Ordinances on Agenda.**

**(B) Approval of Meeting Minutes:**  
**Santee City Council 1-10-07 Regular Meeting**  
**Community Development Commission 1-10-07 Regular Meeting**  
**Santee Public Financing Authority 1-10-07 Regular Meeting**

- (C) **Approval of Payment of Demands as Presented.**
- (D) **Approval of the Expenditure of \$87,885.99 to pay for December 2006 Legal Services and Related Costs.**
- (E) **Second Reading and Adoption of an Ordinance Regarding the Zone Reclassification R06-02 for the Mission View Estates Residential Subdivision Located on a 42.6 Acre Site on the West Side of the 7800 Block of Rancho Fanita Drive.**
- (F) **Authorization to Notify California Strategies and Advocacy that a Transfer of the Contract with Smith, Watts & Company will not be Approved by the City.**

**2. PUBLIC HEARINGS:**

- (A) **Public Hearing for Conditional Use Permit P06-04 to Establish the Retail Sale of Boats at 10960 Wheatlands Avenue, Suites 101-102 in the IL (Light Industrial) Zone. Applicant: Anglers Marine**

Recommendation:

1. Conduct and Close the Public Hearing, and
2. Adopt Resolution approving Conditional Use Permit P06-04.

**3. ORDINANCES (First Reading):**

- (A) **Introduction and First Reading of an Ordinance Amending Sections of Chapters 9.68, 9.60, and 10.20 of the City of Santee Municipal Code to Establish Subsections for First, Second, and Third Offense Violations.**

Recommendation: Introduce Ordinance for First Reading and set the second reading and adoption of the Ordinance for the February 14, 2007 meeting.

- (B) **Introduction and First Reading of an Ordinance Amending Sections of 1.08.010 and 13.42.170 of the City of Santee Municipal Code and Adding Chapter 1.14 Regarding Administrative Citations and Fines.**

Recommendation: Introduce Ordinance for First Reading and set the second reading and adoption of the Ordinance for the February 14, 2007 meeting.

**4. CITY COUNCIL REPORTS:**

**(A) Annual Review and Appointments: Local Appointments List of Boards Commissions, and Committees. (Voepel) (Continued from 12/13/06)**

Recommendation:

1. Council action on recommended appointment(s), if any, as presented by Mayor at meeting; and
2. Reaffirmation/continuance of all other standing groups and representation as listed.

**5. CONTINUED BUSINESS:**

**(A) Adoption of a Resolution Authorizing the Execution of an Easement for Power Lines and Poles to SDG&E for the Goodan Ranch Project. (Continued from 1/10/07)**

Recommendation: Adopt Resolution Authorizing the City Manager to Execute Easement.

**6. NEW BUSINESS:** None.

**7. COMMUNICATION FROM THE PUBLIC:**

*Each person wishing to address the City Council regarding items not on the posted agenda may do so at this time. In accordance with State law, Council may not take action on an item not scheduled on the Agenda. If appropriate, the item will be referred to the City Manager or placed on a future agenda.*

**8. CITY MANAGER REPORTS:**

**9. COMMUNITY DEVELOPMENT COMMISSION:**  
(Note: Minutes appear as Item 1B)

**10. SANTEE PUBLIC FINANCING AUTHORITY:**  
(Note: Minutes appear as Item 1B)

**11. CITY ATTORNEY REPORTS:**

**12. CLOSED SESSION:** None.

**13. ADJOURNMENT:**

**January & February Meetings**

Jan	24	City Council/CDC/SPFA Meeting	Chamber
Jan	25	Santee Human Relations Advisory Board	Chamber Conf Rm
Jan	29	Santee Community Oriented Policing Committee	Chamber Conf. Rm
Feb	01	Santee Park and Recreation Committee	Chamber Conf. Rm
Feb	14	City Council/CDC/SPFA Meeting	Chamber
Feb	22	Santee Human Relations Advisory Board	Chamber Conf Rm
Feb	28	City Council/CDC/SPFA Meeting	Chamber

The Santee City Council welcomes you and encourages your continued interest and involvement in the City's decision-making process.

**For your convenience, a complete Agenda Packet is available for public review at the Santee Library, City Hall and on the City's website at [www.ci.santee.ca.us](http://www.ci.santee.ca.us).**

***The City of Santee complies with the Americans with Disabilities Act. Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 of the American with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the City Clerk's Office at (619) 258-4100, ext. 112 at least 48 hours before the meeting, if possible.***

# AFFIDAVIT OF POSTING AGENDA

State of California        }  
County of San Diego       } ss.  
City of Santee             }

I, Linda A. Troyan, MMC, City Clerk of the City of Santee, hereby declare, under penalty of perjury, that a copy of this Agenda was posted in accordance with Resolution 61-2003 on January 19, 2007 at 4:30 p.m.

Signature \_\_\_\_\_ Date 1/19/07

**MEETING DATE:** January 24, 2007

**AGENDA ITEM NO. 1B**

**ITEM TITLE** APPROVAL OF MEETING MINUTES: SANTEE CITY COUNCIL,  
COMMUNITY DEVELOPMENT COMMISSION AND SANTEE PUBLIC  
FINANCING AUTHORITY REGULAR MEETING OF JANUARY 10, 2007.

**DIRECTOR/DEPARTMENT** Linda A. Troyan, MMC, City Clerk

**SUMMARY**

Submitted for your consideration and approval are the minutes of the above meetings.

**FINANCIAL STATEMENT** N/A

**RECOMMENDATION**

Approve Minutes

**ATTACHMENTS** (Listed Below)

Minutes

## **Minutes**

### **Santee City Council Community Development Commission Santee Public Financing Authority**

**Council Chambers  
10601 Magnolia Avenue  
Santee, California**

**January 10, 2007**

This Regular Meeting of the Santee City Council, Community Development Commission and the Santee Public Financing Authority was called to order by Mayor/Chairperson/Chair Randy Voepel at 7:05 p.m.

Council Members present were: Mayor/ Chairperson/Chair Randy Voepel, Vice Mayor/Vice Chairperson/Vice Chair John W. Minto and Council/Commission/Authority Members Jack E. Dale, Brian W. Jones and Hal Ryan.

Staff present were: City Manager/Executive Director/Secretary Keith Till, Deputy City Manager/Director of Development Services Gary Halbert, City/Commission/Authority Attorney Shawn Hagerty, Finance Director/Treasurer Tim McDermott, Director of Community Services John Coates, Interim Director of Fire and Life Safety Mike Rottenberg, Director of Human Resources Jodene Dunphy, Assistant to the Executive Director Pamela White, City Engineer Steve Cresswell, Santee Sheriff's Station Captain Greg Reynolds, City Clerk/Commission Secretary Linda Troyan, and Deputy City Clerk/Deputy Commission Secretary Patsy Bell.

(Note: Hereinafter the titles Mayor, Vice Mayor, Council Member, City Manager, City Attorney, City Clerk and Deputy City Clerk shall be used to indicate Mayor/Chairperson/Chair, Vice Mayor/Vice Chairperson/Vice Chair, Council/Commission/Authority Member, City Manager/Executive Director/Secretary, City/Commission/Authority Attorney, City Clerk/Commission Secretary, Deputy City Clerk/Deputy Commission Secretary.)

The **INVOCATION** was given by Pastor Phil Herrington from Pathways Community Church and the **PLEDGE OF ALLEGIANCE** was led by Sergeant Major Sibley from HMH-462.

### **PRESENTATION/ PROCLAMATION: SUPPORT FOR SANTEE'S ADOPTED MILITARY UNITS AND PROCLAIMING JANUARY 10, 2007 AS MARINE HEAVY HELICOPTER SQUADRON 462 DAY**

Mayor Voepel presented the Proclamation to Commanding Officer Ken Faircloth and Sergeant Major Sibley. Mayor Voepel and Commanding Officer Faircloth then presented multiple items of appreciation (plaques, certificates of appreciation and photos) to the following community leaders and thanked them for their continued support with Santee's adopted troops.

Jim Harder, Town & Country Printer  
Dave Hayes, Valley House Restaurant  
Dave Murguia, VFW Commander  
Pastor Tony Foglio, Sonrise Church  
Phil Herrington, Pathways Community Church  
Nick Arthur, Fanita Ranch & the Employees of Barratt American  
Gene Chubb, RCP Brick and Block  
Alan Carlisle, Rotary President  
Ike Enzenauer, Chamber of Commerce President  
Zoe Herald, Pat Poppoff & Janey Chadwick, Friends of the Library  
John Wanio, The San Diego Group

**ITEMS TO BE ADDED, DELETED OR RE-ORDERED ON AGENDA:**

Council Member Ryan requested Item 1E be pulled for discussion.

**1. CONSENT CALENDAR:**

- (A) Approval of Reading by Title Only and Waiver of Reading in Full of Ordinances on Agenda.**
- (B) Approval of Meeting Minutes:**
  - Santee City Council 12-13-06 Regular Meeting**
  - Community Development Commission 12-13-06 Regular Meeting**
  - Santee Public Financing Authority 12-13-06 Regular Meeting**
- (C) Approval of Payment of Demands as Presented.**
- (D) Adoption of Resolution Authorizing the Modifications of the Regional Arterial System to Include Mast Boulevard between State Route 52 and Magnolia Avenue, and Magnolia Avenue between Mission Gorge Road and Prospect Avenue. (Reso 1-2007)**
- (E) Item pulled for discussion.**
- (F) Adoption of Three Resolutions Initiating Proceedings and Ordering the Preparation of an Engineer's Report, Preliminarily Approving the Engineer's Report, and Declaring the City Council's Intention to Levy Assessments and Setting a Public Hearing Date of February 28, 2007 for Annexation of the Riverwalk Subdivision to the Town Center Landscape Maintenance District. (Resos: 3-2007, 4-2007, 5-2007)**

**ACTION:** On motion of Vice Mayor Minto, seconded by Council Member Jones, the Agenda and Consent Calendar were approved as amended with all voting aye.

**Removed from Consent Calendar:**

- (E) **Adoption of Resolution Authorizing the Execution of an Easement for Power Lines and Poles to SDG&E for the Goodan Ranch Project.**

Council Member Ryan questioned whether the easement set any restrictions for future use by SDG&E to increase the power pole or line size. By Council concurrence, staff was directed to continue the item to allow staff time to research and add appropriate language to prohibit the ability for the power poles or transmission lines to be increased within the easement.

**2. PUBLIC HEARINGS:**

- (A) **Continued Public Hearing for Tentative Map TM06-04 and Development Review Permit DR06-15 for a 31-Lot Single Family Residential Subdivision, Four HOA Lots and a 32-Acre Open Space Lot on a 42.6 Acre Site; and General Plan Amendment GPA06-02 and First Reading of Ordinance for Zone Reclassification R06-02 to Change a 32-Acre Portion of the Property from Hillside Limited Residential to Park/Open Space on the West Side of the 7800 Block of Rancho Fanita Drive. Applicant: Rancho Fanita Partners, LLC (Cont. from 12-13-06) (Resos: TM 6-2007, DR 7-2007, GPA 8-2007)**

The Public Hearing was opened at 7:38 p.m. Deputy City Manager/Director of Development Services Halbert presented the staff report.

**Public Speakers:** None

**ACTION:** On motion of Council Member Dale, seconded by Vice Mayor Minto, the Public Hearing was closed at 7:43 p.m.; the Negative Declaration (AEIS06-26) was approved as complete and in compliance with the provisions of CEQA; three Resolutions approving Tentative Map TM06-04, Development Review Permit DR06-15, and General Plan Amendment GPA06-02 were adopted; and the Ordinance for Zone Reclassification R06-02 was approved for first reading with the second reading set for January 24, 2007, with all voting aye.

**3. ORDINANCES (First Reading):** See Item 2A.

**4. CITY COUNCIL REPORTS:**

- (A) **Process for Temporary Use Permits. (Voepel)**

Council questioned staff regarding the temporary use permit process. During the discussion, Council Members expressed the following:

- \* have the minimum requirements met on a conditional use permit that would normally apply for the subsequent conditional use permit;

- \* if there is a need to go outside the parameters of a Council approved contract, staff needs to bring that contract back to a Council meeting. If there is an urgency for staff to take action before the next Council meeting, then Council requests some sort of notification from staff;



\* monitor U-Haul's temporary use permit to ascertain that a conditional use permit is filed before the temporary use permit's expiration; and

\* add a 15-foot setback if a conditional use permit is submitted for a Christmas tree lot on Woodside Avenue in future years to improve the line of vision of traffic on Woodside.

**5. CONTINUED BUSINESS:** None

**6. NEW BUSINESS:** None

**7. COMMUNICATION FROM THE PUBLIC:**

(A) Chris Marsh, Santee's Liaison for Assemblyman Joel Anderson, introduced himself to Council.

**8. CITY MANAGER REPORTS:**

City Manager Till informed Council and the public of a series of recent thefts involving "toy-box" camper trailers that are being broken into upon return from a desert trip while they are still fully loaded with equipment.

**9. COMMUNITY DEVELOPMENT COMMISSION:**

(Note: Minutes appear as Item 1B)

**10. SANTEE PUBLIC FINANCING AUTHORITY:**

(Note: Minutes appear as Item 1B)

**11. CITY ATTORNEY REPORTS:** None

Council Members recessed at 8:16 p.m. and convened in Closed Session at 8:25 p.m. with all Members present.

**12. CLOSED SESSION:**

**(A) PERSONNEL:**

Public Employee Performance Evaluation  
Pursuant to Government Code 54957)  
Title: City Manager

**(B) PERSONNEL:**

Public Employee Performance Evaluation  
Pursuant to Government Code 54957)  
Title: City Attorney

Mayor Voepel reported the items had been discussed and that direction was given to staff.

**13. ADJOURNMENT:**

There being no further business, the meeting was adjourned at 9:41 p.m.

Date Approved:

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Linda A. Troyan, Commission Secretary  
and for Authority Secretary Keith Till

**MEETING DATE**

January 24, 2007

**AGENDA ITEM NO. 1C****ITEM TITLE**      PAYMENT OF DEMANDS**DIRECTOR/DEPARTMENT**

Tim K. McDermott/Finance

**SUMMARY**

A listing of checks that have been disbursed since the last Council meeting is submitted herewith for approval by the City Council.

**FINANCIAL STATEMENT**

Adequate budgeted funds are available for the payment of demands per the attached listing.

**RECOMMENDATION**

Approval of the payment of demands as presented.

**ATTACHMENTS (Listed Below)**

- 1) Payment of Demands-Summary of Checks Issued
- 2) Disbursement Journal

Payment of Demands  
Summary of Checks Issued

<u>Date</u>	<u>Description</u>	<u>Amount</u>
01/04/07	Accounts Payable	\$1,292,729.55
01/10/07	Accounts Payable	293,811.71
01/18/07	Payroll	<u>437,561.19</u>
	TOTAL	<u>\$2,024,102.45</u>

I hereby certify to the best of my knowledge and belief that the foregoing demands listing is correct, just, conforms to the approved budget, and funds are available to pay said demands.

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Tim K. McDermott, Director of Finance

**MEETING DATE** January 24, 2007

**AGENDA ITEM NO. 1D**

**ITEM TITLE** APPROVAL OF THE EXPENDITURE OF \$87,885.99 TO PAY FOR DECEMBER 2006 LEGAL SERVICES AND RELATED COSTS

**DIRECTOR/DEPARTMENT** Tim K. McDermott/Finance

**SUMMARY**

Legal service billings proposed for payment for the month of December 2006 total \$87,885.99 as follows:

- 1) General Retainer Services - \$13,648.23
- 2) Litigation & Claims - \$5,193.76
- 3) Special Projects (General Fund) - \$22,892.84 (includes \$2,312.50 in outside consultant services for the MSCP Subarea Plan)
- 4) Special Projects (Town Center Park) - \$772.80
- 5) Community Development Commission - \$22,423.17 (includes \$15,701.00 in outside consultant services for the Las Colinas expansion matter)
- 6) Community Development Commission – Housing (MHFP litigation) - \$11,907.14 (includes \$1,360.68 in outside consultant services)
- 7) Applicant Initiated Projects (paid from developer deposits) - \$11,048.05

**FINANCIAL STATEMENT**

Account Description: Legal Services

Account Number: Various accounts

	<u>AMOUNT</u>	<u>BALANCE</u>
General Fund:		
Original Budget	\$326,000.00	
Revised Budget	326,000.00	
Prior Expenditures	(204,454.34)	
Current Request	( 41,734.83)	\$ 79,810.83
Special Services (excluding applicant initiated items):		
Original Budget	\$ 232,000.00	
Revised Budget	337,054.10	
Prior Expenditures	(126,535.97)	
Current Request	( 35,103.11)	\$ 175,415.02

**RECOMMENDATION**

Approve the expenditure of \$87,885.99 for December 2006 legal services and related costs.

**ATTACHMENTS (Listed Below)**

- 1) Legal Services Billing Summary

**MEETING DATE:** January 24, 2007

**AGENDA ITEM NO. 1E**

**ITEM TITLE** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, REGARDING THE ZONE RECLASSIFICATION R06-02 FOR THE MISSION VIEW ESTATES RESIDENTIAL SUBDIVISION LOCATED ON A 42.6 ACRE SITE ON THE WEST SIDE OF THE 7800 BLOCK OF RANCHO FANITA DRIVE. APN: 386-300-34

**DIRECTOR/DEPARTMENT** Linda A. Troyan, MMC, City Clerk

**SUMMARY**

The introduction and first reading of the above-entitled Ordinance was approved at a Regular Council Meeting on January 10, 2007.

The Ordinance is now presented for second reading by title only, and adoption.

Vote at First Reading:	AYES:	DALE, JONES, MINTO, RYAN, VOEPEL
	NOES:	NONE
	ABSENT:	NONE

**FINANCIAL STATEMENT** N/A

**RECOMMENDATION**

Approve Ordinance for adoption.

**ATTACHMENTS (Listed Below)**

Ordinance

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTEE,  
CALIFORNIA, REGARDING THE ZONE RECLASSIFICATION R06-02 FOR THE MISSION  
VIEW ESTATES RESIDENTIAL SUBDIVISION LOCATED ON A 42.6-ACRE SITE ON THE  
WEST SIDE OF THE 7800 BLOCK OF RANCHO FANITA DRIVE**

**APN: 386-300-34**

**(RELATED CASE FILES: TM06-04, DR06-15, AND GPA06-02)**

**WHEREAS**, on October 31, 2006 Rancho Fanita Partners submitted a complete application for a Zone Reclassification R06-02 to change a 32-acre portion of the subject property from the HL (Hillside Limited Residential) zone to P/OS (Park/Open Space) zone on the City Zoning District Map as shown on Exhibit "A" attached hereto, concurrent with Development Review Permit DR06-15 to construct 31 single family dwelling units, Tentative Map TM06-04 for the subdivision of 42.6 gross acres into 31 single family residential lots, four open space lots, and General Plan Amendment GPA06-02 to change the HL land use designation to P/OS for a 32-acre portion of the property on the west side of the 7800 block of Rancho Fanita Drive; and

**WHEREAS**, on April 12, 2006 the City Council approved General Plan Amendment GPA05-05, Rezone R05-03, Tentative Map TM05-11, and Development Review Permit DR05-23 for a 37-lot single family residential subdivision and the development of 37 single family homes, and the change a 25.3-acre portion of the subject property from the HL (Hillside Limited Residential) zone to P/OS (Park/Open Space) zone on the City Zoning District Map for the subject property; and

**WHEREAS**, the proposed amendment to the Land Use Element of the General Plan to change the existing HL (Hillside Limited Residential) land use designation to P/OS (Park/Open Space) is consistent with the goals and objectives of the General Plan because the project creates an open space lot on a steep 32-acre portion of the property within the HL zone and confines the development footprint to the lower, previously developed portion of the site consistent with Objective 11.0 of the Conservation Element of the General Plan; and

**WHEREAS**, in accordance with Government Code Section 65352 the California Native Heritage Commission was notified of the General Plan Amendment, Zone Reclassification, Tentative Map, and Development Review Permit for a 37-lot single family residential subdivision on the project site, and no comments were received; and the subject site has been identified as being outside the area designated as having moderate potential for register eligible archaeological sites on the Cultural Resource Sensitivity Map of the General Plan.

**WHEREAS**, the San Diego County Regional Airport Authority (SDRAA) was notified of a proposed rezoning and associated general plan amendment of a 37-lot residential subdivision on the project site that would change the zone designation from HL to P/OS, and determined that a Determination of Consistency was not required, because the project is located in its entirety outside the Gillespie Field Airport Influence Area as documented in an SDRAA letter dated January 25, 2006; and the proposed project is in the same location and within the scope of the previously approved project; and

**WHEREAS**, on April 12, 2006 the City Council adopted a Mitigated Negative Declaration for Development Review Permit DR05-23, Tentative Map TM05-11, General Plan Amendment GPA05-05, and Zone Reclassification R05-03 for a 37-lot single family residential subdivision that determined that the said project as designed, and as conditioned to incorporate the mitigation measures specified in the Mitigation Monitoring Program, will not result in a significant adverse impact upon the environment; and

**WHEREAS**, pursuant to the requirements of the California Environmental Quality Act (CEQA), an Initial Study was conducted for Development Review Permit DR06-15, Tentative Map TM06-04, General Plan Amendment GPA06-02, and Zone Reclassification R06-02 that determined that the project as designed, and as conditioned to incorporate the mitigation measures specified in the Mitigation Monitoring Program for the project identified as TM05-11/DR05-23/GPA05-05/R05-03, will not result in a significant adverse impact upon the environment and a Negative Declaration was prepared and advertised for public review from November 16, 2006 and December 6, 2006 and no comments were received; and

**WHEREAS**, the Director of Development Services scheduled Development Review Permit DR06-15, Tentative Map TM06-04, General Plan Amendment GPA06-02 and Zone Reclassification R06-02 for public hearing on December 13, 2006; and

**WHEREAS**, on December 13, 2006 the City Council continued the public hearing on Development Review Permit DR06-15, Tentative Map TM06-04, General Plan Amendment GPA06-02, and Zone Reclassification R06-02 to the January 10, 2007 City Council meeting; and

**WHEREAS**, on January 10, 2007 the City Council held a duly advertised public hearing on Development Review Permit DR06-15, Tentative Map TM06-04, General Plan Amendment GPA06-02, and Zone Reclassification R06-02; and

**WHEREAS**, the City Council considered the Staff Report, considered all recommendations by staff and public testimony at a public hearing.

The City Council of the City of Santee, California, does ordain as follows:

**SECTION 1:** The Zone Reclassification R06-02 will not result in a significant adverse impact upon the environment and the Negative Declaration dated November 15, 2006, is approved.



**SECTION 2:** The Zone Reclassification R06-02 request to rezone a 32-acre portion of a 42.6 acre lot from HL (Hillside Limited Residential) to P/OS (Park/Open Space) is in keeping with the “Adjacent Land Use Compatibility Guide” of the Santee General Plan Land Use Element because surrounding zones and development are a mix of multi-family and single family residential, and open space uses. Additionally, the Reclassification will be consistent with the open space lot that will be created on the HL portion of the project site.

**SECTION 3:** The Zoning District Map of the City is hereby amended to change the zoning designation on a 32 acre portion of a 42.6 acre lot located on the west side of the 7800 block of Rancho Fanita Drive (APN: 386-300-34) from HL (Hillside Limited Residential) to P/OS (Park/Open Space) as shown in Exhibit A attached hereto.

**INTRODUCED AND FIRST READ** at a Regular Meeting of the City Council of the City of Santee, California, held the 10<sup>th</sup> day of January 2007, and thereafter **ADOPTED** at a Regular Meeting of said City Council held the 24<sup>th</sup> day of January 2007, by the following roll call vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

**APPROVED:**

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**RANDY VOEPEL, MAYOR**

**ATTEST:**

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**LINDA A. TROYAN, MMC, CITY CLERK**

Attachment: Exhibit A – Proposed Zoning Map Change

**MEETING DATE**     January 24, 2007

**AGENDA ITEM NO. 1F**

**ITEM TITLE**         **AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF SANTEE AND SMITH, WATTS & COMPANY**

**DIRECTOR/DEPARTMENT**

Keith Till, City Manager

**SUMMARY**

City Council to provide direction that the agreement with Smith, Watts and Company not be assigned to the lobbying firm of California Strategies and Advocacy, LLC.

**BACKGROUND**

The City of Santee entered into a professional services contract with Smith, Kempton and Watts in 1997. Since that time, the lobbyist firm has assisted the City with securing funding for the Forester Creek/State Route 52 project. With funding for SR 52 now secured and the Forester Creek project more than half finished, the professional consulting services provided by Smith, Watts & Company are successfully completed.

Additionally, Smith, Watts & Company has informed the City that as of this month it has merged with another firm, California Strategies and Advocacy. Under terms of the existing agreement, Smith, Watts & Company cannot assign or transfer its contract with the City to another firm without the written consent of the City. Pending City Council's decision on the transfer, staff has held in abeyance the registration of California Strategies and Advocacy as the City's new lobbyist, as would be required by the Fair Political Practices Commission.

**FINANCIAL STATEMENT**

The contract budget with Smith, Watts and Company is \$65,000 per year. Termination of the contract at this time will result in a savings of approximately \$25,000 for the remainder of the current fiscal year and a savings of \$130,000 in the upcoming two-year budget cycle.

**RECOMMENDATION**

Authorize the City Manager to notify California Strategies and Advocacy that a transfer of the contract with Smith, Watts & Company will not be approved by the City.

**ATTACHMENTS (Listed Below)**

- 1) Agreement for professional services between the City of Santee and Smith, Watts & Company dated July 1, 2005.

**MEETING DATE**    January 24, 2007

**AGENDA ITEM NO. 2A**

**ITEM TITLE**    **PUBLIC HEARING FOR A CONDITIONAL USE PERMIT (P06-04) TO ESTABLISH THE RETAIL SALE OF BOATS AT 10960 WHEATLANDS AVENUE, SUITES 101-102 IN THE IL (LIGHT INDUSTRIAL) ZONE** (Applicant: Anglers Marine)

**DIRECTOR/DEPARTMENT**    Gary Halbert, Development Services

**SUMMARY**    The proposed project is an application by Anglers Marine for a Conditional Use Permit to allow retail sales of boats within the IL zone. The applicant is currently completing tenant improvements of a 8,746 square foot lease space within an existing industrial building (Ciraolo Building) for a dealer showroom and boat repair facility that could include retail sales. Though dealer showrooms and boat repair facilities are permitted uses in the IL zone, the Zoning Ordinance requires approval of a Conditional Use Permit to establish a retail sales use. Anglers Marine is a full-service boat dealer of personal recreational boats. As proposed, the business will operate Monday through Saturday 9:00am–6:00pm and Sunday 10:00am–3:00pm. Service work would be conducted by appointment.

Issues addressed in the Staff Report include the proposed short-term staging of boats outside the building and the visual effect of the temporary outdoor staging area when viewed from State Route 67 and North Woodside Avenue. No boats would be outdoors overnight.

**ENVIRONMENTAL REVIEW**    This project has been determined to be exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with the provisions of Section 15301 Class 1 Exemption.

**FINANCIAL STATEMENT**    Staff costs to process the Conditional Use Permit and Application for Environmental Initial Study (P06-04, AEIS06-27) are paid by application fees of \$1250.00.

**RECOMMENDATION**

1. Conduct and close public hearing.
2. Approve Conditional Use Permit P06-04 per the attached Resolution.

**ATTACHMENTS (Listed Below)**

Staff Report	Figures 1 – 5	Aerial
Resolution for P06-04	Notice of Exemption	

**STAFF REPORT  
CONDITIONAL USE PERMIT P06-04/AEIS06-27  
CITY COUNCIL MEETING JANUARY 24, 2007**

Notice of Public Hearing was published in the East County Californian on Thursday, January 11, 2007. 10 owners of property within 300 feet of the project (and other interested parties) were notified by U.S. mail on January 11, 2007.

**A. SITUATION AND FACTS**

1. Requested by ..... Anglers Marine, Inc.
2. Land Owner ..... Ciraolo Family Partners, L.P.
3. Type and Purpose of Request ..... Conditional Use Permit for sales of personal recreational boats and related supplies and accessories in conjunction with an existing 8,746 square foot boat showroom and repair facility open 9:00am – 6:00pm Monday - Saturday and 10:00am – 3:00pm Sunday and located in an existing industrial building
4. Location ..... 10960 Wheatlands Avenue, Suites 101-102
5. Site Area ..... 2.13 acres
6. Number of lots ..... Tenant Improvement
7. Number of units ..... Existing 32,800 square foot industrial building currently divided into 4 tenant spaces
8. Density ..... Not applicable
9. Hillside Overlay ..... No
10. Existing Zoning ..... IL – Light Industrial
11. Surrounding Zoning ..... North: IL – Light Industrial  
South: State Route 67 Right of way  
East: IL – Light Industrial  
West: IL – Light Industrial
12. General Plan Designation ..... IL – Light Industrial
13. Existing Land Use ..... Industrial Building
14. Surrounding Land Use ..... North: Drive-in movie theater

South: State Route 67  
East: Industrial  
West: Undeveloped

15. Terrain ..... Existing developed lot.
16. Environmental Status ..... Categorical Exemption (AEIS06-27)
17. APN ..... 381-540-39
18. Freeway Impact ..... No
19. Within Redevelopment Area ..... Yes
20. Within Airport Influence Area ..... No. Project is outside of the existing Airport Influence Area of Gillespie Field Airport Land Use Compatibility Plan.

## **B. BACKGROUND**

### **Applicant**

Anglers Marine is a full-service boat dealer based in Anaheim, California that has been serving Southern California boaters and fishermen since 1981. Anglers Marine specializes in fishing boats 16-feet to 19-feet long. They also sell specialized bait and tackle equipment for the competitive bass fishing market. Anglers Marine is establishing the Santee facility to respond to demand from clients who travel from San Diego -- East County in particular -- as well as from manufacturers looking for a local dealer for their products.

### **Project**

The applicant is currently completing tenant improvements to two suites, totaling 8,746 square feet, of an existing 32,800 square foot industrial building to operate as a dealer showroom and a repair facility, which are permitted uses in the IL zone consistent with Table 17.14.030-A. The applicant is requesting to include the retail sales of personal recreational boats which requires approval of a Conditional Use Permit.

The business will operate Monday through Saturday 9:00am–6:00pm and Sunday 10:00am–3:00pm. Service work would be conducted by appointment. All storage of boats and equipment will be inside the building and would be prohibited in any required parking space, access aisle or landscape area. At times during business operating hours, boats may be staged in the four parking spaces directly behind the two roll-up doors of their suites. These four parking spaces will be temporarily utilized for staging as boats are removed from delivery trucks as well as when boats are being moved into and out of the showroom, storage and service areas of the building. No boats will be stored outdoors overnight. No advertising of the sale of boats in the staging area will be permitted.

The existing building is currently divided into 4 tenant spaces, including the space to be occupied by Anglers Marine. The other tenants include 1) Computer Integrated Machines, Inc., a specialized machine shop; 2) Fall Advertising, the offices of a design firm; and 3) Eye/COMM Direct Marketing, a warehouse and distribution center.

## **C. ANALYSIS**

**Compatibility with Existing Tenants** The 2.14 acre site located at 10960 Wheatlands Avenue is developed with a 32,800 square foot industrial building, 83 parking spaces, and landscaping. The proposed project uses 8,746 square feet of the existing building. The balance of the space is used by 3 other businesses. All businesses at this location operate indoors with the exception of the temporary boat staging discussed above. Adequate parking for the site will be maintained even with the designation of the staging area. Staff believes the use will be compatible with existing tenants because its principal activity is within the enclosed building and outdoor boat staging would be temporary with no overnight outdoor storage occurring.

### **Compatibility with Adjacent Land Uses**

The applicant's business proposes a retail sales component while its location is within the IL Light Industrial land use designation. Retail sales are typically associated with a Commercial land use designation. The General Plan established approximately 414 acres (3.9%) of land designated for Industrial purposes and approximately 282 acres (2.6%) for Commercial purposes. Due to the small amount of land set aside for these types of uses, it is important that a proposal for retail sales uses within the Industrial land use designation be a good fit.

Although this property is surrounded by industrial development and the Santee Drive-In to the north and west of the site, the property is bordered on the southeast by Woodside Avenue (approximately 200' of frontage) with good visibility out to State Route 67. The freeway frontage provides valuable visibility of the showroom from a well-traveled road.

The showroom encompasses approximately 6,000 square feet within the business operation. Incorporating the sales function into this site will not result in a change of appearance. The type of boat servicing available in Santee will be limited due to the size of the location. Service will be limited to new boat rigging, such as installation of spare tires and electronics, and repairs such as engine work. Work will be done by appointment only, with fewer than 15 boats anticipated per week.

The proposed use is not expected to generate any noticeable noise inconsistent with the Light Industrial zone. There will not be a substantial permanent increase in ambient noise levels in the project vicinity above levels that exist without the project.

Because a portion of the business would continue to serve permitted Light Industrial uses and there is advantageous external visibility for the proposed retail use, staff believes the combination of a retail sales use with the service business appears to be a good fit for this particular site zoned Light Industrial.

**Environmental:** This project has been determined to be exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with the provisions of Section 15301 Class 1 Exemption.

**D. STAFF RECOMMENDATION**

1. Conduct and close the public hearing.
2. Approve Conditional Use Permit P06-04 per the attached Resolution.



**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE,  
CALIFORNIA, APPROVING THE APPLICATION OF ANGLERS MARINE FOR  
CONDITIONAL USE PERMIT P06-04 TO UTILIZE 8,746 SQUARE FEET OF AN EXISTING  
32,800 SQUARE FOOT INDUSTRIAL BUILDING  
AS A BOAT SALES CENTER IN THE IL ZONE LOCATED  
AT 10960 WHEATLANDS AVENUE, SUITES 101-102  
APN: 381-540-39**

**WHEREAS**, on November 1, 2006, Anglers Marine submitted a complete application for Conditional Use Permit P06-04 to use 8,746 square feet of an existing 32,800 square foot industrial building for the sales of personal recreational boats and related supplies and accessories; and

**WHEREAS**, the project was determined to be exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 Class 1 Exemption; and

**WHEREAS**, the Director of Development Services scheduled Conditional Use Permit for public hearing on January 24, 2007; and

**WHEREAS**, on January 24, 2007 the City Council held a duly advertised public hearing on Conditional Use Permit P06-04; and

**WHEREAS**, the City Council considered all recommendations by staff and public testimony.

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Santee, California, after considering the evidence presented at the public hearing, as follows.

**SECTION 1:** Conditional Use Permit P06-04 is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 Class 1 Exemption.

**SECTION 2:** The findings in accordance with Section 17.06.030 of the Santee Municipal Code for Conditional Use Permit P06-04 are made as follows:

- A. That the proposed project, as conditioned, meets the purpose and design criteria prescribed in the Zoning Ordinance and the Municipal Code.
- B. That the proposed development is compatible with the Santee General Plan in that the sales of boats and related supplies and accessories is permitted with an approved Conditional Use Permit within the IL (Light Industrial) land use designation and the IL (Light Industrial) zone of the subject site and public services and facilities will be available to serve the development.
- C. That the proposed development, as conditioned, complies with each of the applicable provisions of the Development Code because the site has already been developed with an existing industrial building and parking area.

**SECTION 3:** The Anglers Marine application for Conditional Use Permit P06-04 for the retail sales of boats and specialized tackle within an 8,746 square foot portion of an existing industrial building is hereby approved, subject to the following conditions:

- A. The applicant shall comply with all applicable sections of the Municipal Code, Land Development Manual and Public Works Standards of the City of Santee.
- B. Minor or Major Revisions to the Conditional Use Permit, such as changes to the capacity of the project, shall be approved by the Director of Development Services, unless, in the Director's judgment, a Major Revision should be reviewed by the City Council.
- C. Prior to any occupancy or use of the premises pursuant to Conditional Use Permit P06-04, the following conditions shall be met:
  - 1. Designate the 4 parking spaces at the southeast corner of the property as "No parking - boat staging area" with signs and painted pavement to the satisfaction of the Director of Development Services.
  - 2. Any change in use of the building that would result in an increase in parking, or the construction of a mezzanine, would require that a parking analysis be conducted.
- D. Upon certification by the Director of Development Services for occupancy or establishment of the use allowed by Conditional Use Permit P06-04, the following conditions shall apply:
  - 1. The structures, driveways and parking lot shall be well maintained and in good condition.
  - 2. All activities shall be conducted within the building and noise levels shall not exceed the limits established by Title 8, Chapter 8.12 of the Santee Municipal Code.
  - 3. Nothing shall be permanently stored outside of the building. Nothing shall be stored outside of the building during business hours except for boats being temporarily staged within the designated staging area.
  - 4. Fire lane access shall be maintained clear at all times. Encroachment of boats or other equipment into the fire lane is prohibited.
  - 5. All new signs shall be approved separately by the Director through a Sign Permit subject to Comprehensive Sign Program CSP06-01 and the requirements of Chapter 17.32 of the Santee Municipal Code.
  - 6. No advertising of the sale of boats in the staging area will be permitted.

**SECTION 4:** The terms and conditions of this Conditional Use Permit (P06-04) approval shall be binding upon the permittee and all persons, firms and corporations having an interest in the property subject to this Conditional Use Permit and the heirs, executors, administrators, successors and assigns of each of them, including municipal corporations, public agencies and districts.

**SECTION 5:** Pursuant to Government Code Section 66020, the 90 day approval period in which the applicant may protest the imposition of any fees, dedications, reservations, or exactions imposed pursuant to this approval, shall begin on January 24, 2007.

**SECTION 6:** The applicant shall defend (with counsel of City's choice, subject to reasonable approval by the applicant) the City of Santee and its officers, employees and agents from any claim, action, or proceeding against the City and/or its officers, employees or agents to attack, or set aside, void, or annul the approval of the City of Santee concerning this Resolution or any action relating to or arising out of its approval, and further agrees to indemnify and hold harmless from all costs and expenses (including attorney's fees) associated with any such defense.

**SECTION 7:** This Conditional Use Permit (P06-04) expires on January 24, 2010 except where substantial use has commenced prior to its expiration. If use of the development has not commenced within the three-year period, said expiration date may be extended pursuant to a request for time extension received 60 days prior to the original expiration date. The City Council expressly grants to the Director of Development Services the authority to extend the expiration date of this approval pursuant to Section 17.04.090.B of the Santee Municipal Code, when a request for an extension is filed 60 days prior to the original expiration date.

**ADOPTED** by the City Council of the City of Santee, California, at a regular meeting thereof held this 24<sup>th</sup> day of January, 2007, by the following roll call vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

**APPROVED:**

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**RANDY VOEPEL, MAYOR**

**ATTEST:**

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**LINDA A. TROYAN, CITY CLERK**

**Figures 1 - 5**

**ELECTRONIC VERSION NOT AVAILABLE**

**COPY AVAILABLE IN CITY CLERK'S OFFICE**

**City of Santee**  
**COUNCIL AGENDA STATEMENT**

3A

**MEETING DATE**      January 24, 2007      **AGENDA ITEM NO.**

**ITEM TITLE**      **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, TO AMEND SECTIONS OF CHAPTERS 9.68, 9.60, AND 10.20 OF THE CITY OF SANTEE MUNICIPAL CODE TO ESTABLISH SUBSECTIONS FOR FIRST, SECOND, AND THIRD OFFENSE VIOLATIONS**

**DIRECTOR/DEPARTMENT**      City Attorney

**DISCUSSION**

The proposed Ordinance would amend the Municipal Code to establish first, second, and third offenses for certain misdemeanors. The specific misdemeanors are: open container on public premises; open container at Mast Park except during specified hours; open container on posted property; loitering; camping on specified public property; and camping on private property. Each of the offenses is a crime that we are focusing on as part of the City's Community Oriented Policing Project. The Community Oriented Policing Project is a collaborative effort between the City, its attorneys, and the San Diego County Sheriff's Department to enhance the quality of life and general welfare of the City through policing and aggressive prosecution of repeat offenders and target crimes that affect quality of life.

The proposed Ordinance will help facilitate continuing success in this on-going program by providing for a delineation of first, second, and third offenses in the code sections themselves. This delineation is required in order to conform to the Court's system for processing multiple offenses, which requires a separate code violation for repeat violations. These changes are necessary to ensure that repeat violations of these laws can be appropriately processed, and that repeat violators can more easily be required to make mandatory court appearances. If repeat violators do not make the mandatory appearances, arrest warrants will be issued. These changes are technical in nature and do not change the substance of the code sections or the offenses at issue.

**FINANCIAL IMPACT**

None.

**RECOMMENDATION**

Staff recommends that the City Council Conduct a first reading of the proposed Ordinance.

**ATTACHMENT**

Proposed Ordinance

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTEE,  
CALIFORNIA, TO AMEND SECTIONS OF CHAPTERS 9.68, 9.60, AND 10.20 OF  
THE CITY OF SANTEE MUNICIPAL CODE TO ESTABLISH SUBSECTIONS FOR  
FIRST, SECOND, AND THIRD OFFENSE VIOLATIONS**

**WHEREAS**, the City of Santee is currently engaged in the Community Oriented Policing Project ("Project") for the purpose of enhancing the quality of life and general welfare of the City; and

**WHEREAS**, California law authorizes cities to adopt and amend Codes with such changes and modifications determined to be reasonably necessary due to local law enforcement and court requirements; and

**WHEREAS**, the City of Santee desires to adopt necessary amendments to assure that certain sections of the Santee Municipal Code are tailored to particular code enforcement needs relating to the Project, to conform to the requirements of local courts, and to assure that a maximum level of safety protection is provided to residents, businesses and other occupants; and

**WHEREAS**, this ordinance amending certain sections of the Santee Municipal Code is necessary for the local courts to differentiate between first, second and third offenses of the relevant Code sections relating to the Project,

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA,  
DOES ORDAIN AS FOLLOWS:**

**Section 1.** Section 9.68.030 of the City of Santee Municipal Code is hereby amended to read, in its entirety, as follows:

A. It is unlawful for any person to enter upon, be, or remain upon, any public street, sidewalk, alley or public property when in possession of any receptacle which contains any alcoholic beverage and which has been opened, or the seal broken, or the contents of which have been partially removed, except at the following public places: Santee Lakes Regional Park; Santee City Parks, except Mast Park as set forth in subsection B of this section; Mission Trails Regional Park; Buildings 7 and 8 of the Santee Civic Center.

1. First Offense: The first violation of this Section by any person is punishable as a misdemeanor.

2. Second Offense: Any violation of this Section by a person who has previously violated this Section one (1) time is punishable as a misdemeanor.

3. Third Offense: Any violation of this Section by a person who has previously violated this Section two (2) or more times is punishable as a misdemeanor.

B. It is unlawful for any person to enter upon, be, or remain upon the premises of Mast Park when in possession of any receptacle which contains any alcoholic beverage and which has been opened, or the seal broken, or the contents of which have been partially removed, except as follows: on weekends during all hours at which Mast Park is open to the public as designated by the city council or the department of community services. For purposes of this subsection, the term "weekend" is defined as between twelve a.m. on each Saturday and twelve a.m. on each Monday; on any legal holiday(s) designated by the department of community services; and as authorized by a permit issued prior to the occurrence by the department of community services pursuant to its authority to promulgate rules and regulations for the operation of city parks subject to approval of the city council under Section 12.28.030 of this code.

1. First Offense: The first violation of this Section by any person is punishable as a misdemeanor.

2. Second Offense: Any violation of this Section by a person who has previously violated this Section one (1) time is punishable as a misdemeanor.

3. Third Offense: Any violation of this Section by a person who has previously violated this Section two (2) or more times is punishable as a misdemeanor.

**Section 2.** Section 9.68.060 of the City of Santee Municipal Code is hereby amended to read, in its entirety, as follows:

A. It shall be unlawful for any person to enter upon, be, or remain on any posted premises when in possession of any receptacle which contains any alcoholic beverage and which has been opened, or the seal broken, or the contents of which have been partially removed.

1. First Offense: The first violation of this Section by any person is punishable as a misdemeanor.

2. Second Offense: Any violation of this Section by a person who has previously violated this Section one (1) time is punishable as a misdemeanor.

3. Third Offense: Any violation of this Section by a person who has previously violated this Section two (2) or more times is punishable as a misdemeanor.

B. Any property owner of property open to the public may post a sign in accordance with the provisions of Section 9.68.050 of this chapter.



**Section 3.** Section 9.60.030 of the City of Santee Municipal Code is hereby amended to read, in its entirety, as follows:

A. It is unlawful for any person to enter and remain on any premises specified by this section under such circumstances that a reasonable person would conclude that the person who has entered and remains on such premises does not have a purpose legitimately connected with the business or activity of the legal occupant of the premises; and does not have a bona fide intent to exercise a constitutional right; and is causing public inconvenience or annoyance.

B. It shall be unlawful and a violation of this section if any person: loiters in any bus depot, transit station, trolley station or on the grounds of a common carrier, or in a place open to the public immediately adjacent to any bus depot, transit station, trolley station, or common carrier, including any ancillary food service premises maintained primarily for the convenience of the customers of said carrier, except those parts of such depot, station, or grounds thereof that are occupied by a business other than that of a common carrier or ancillary food service; and such person refuses to comply with the lawful order of a law enforcement official, owner, occupant or agent thereof to leave the premises or after complying with such lawful order, such person returns within forty-eight hours and resumes loitering as defined in this chapter.

1. First Offense: The first violation of this Section by any person is punishable as a misdemeanor.

2. Second Offense: Any violation of this Section by a person who has previously violated this Section one (1) time is punishable as a misdemeanor.

3. Third Offense: Any violation of this Section by a person who has previously violated this Section two (2) or more times is punishable as a misdemeanor.

C. This section shall not apply to peaceful picketing, public speaking or other lawful expressions of opinion.

**Section 4.** Section 9.60.060 of the City of Santee Municipal Code is hereby amended to read, in its entirety, as follows:

A. It shall be unlawful for any person to camp, occupy camp facilities or use camp paraphernalia in the following areas, except as otherwise provided: any street; any public parking lot or public area, improved or unimproved; or any public area, improved or unimproved.



1. First Offense: The first violation of this Section by any person is punishable as an misdemeanor.

2. Second Offense: Any violation of this Section by a person who has previously violated this Section one (1) time is punishable as a misdemeanor.

3. Third Offense: Any violation of this Section by a person who has previously violated this Section two (2) or more times is punishable as a misdemeanor.

**Section 5.** Section 10.20.140 of the City of Santee Municipal Code is hereby amended to read, in its entirety, as follows:

A. No person shall camp, lodge, sleep or tarry overnight in or on any private property without permission of the owner or lessee of such property.

1. First Offense: The first violation of this Section by any person is punishable as an misdemeanor.

2. Second Offense: Any violation of this Section by a person who has previously violated this Section one (1) time is punishable as a misdemeanor.

3. Third Offense: Any violation of this Section by a person who has previously violated this Section two (2) or more times is punishable as a misdemeanor.

**Section 6.** Section 10.20.150 of the City of Santee Municipal Code is hereby amended to read, in its entirety, as follows:

A. No person shall camp, lodge, sleep or tarry overnight in any public park, public beach or any public street or highway; provided, that nothing herein shall be construed to prohibit camping in public campgrounds under permit authorized by other provisions of law or ordinance.

1. First Offense: The first violation of this Section by any person is punishable as a misdemeanor.

2. Second Offense: Any violation of this Section by a person who has previously violated this Section one (1) time is punishable as a misdemeanor.

3. Third Offense: Any violation of this Section by a person who has previously violated this Section two (2) or more times is punishable as a misdemeanor.

**Section 7.** The City Council hereby authorizes and directs the City Clerk to undertake such actions as may be reasonably necessary or convenient to the carrying out and administration of the actions authorized by this Ordinance.

**Section 8.** This Ordinance shall become effective thirty (30) days after its passage.

**Section 9.** The City Clerk is directed to publish notice of this Ordinance as required by law.

**INTRODUCED AND FIRST READ** at a Regular Meeting of the City Council of the City of Santee, California, on the \_\_\_\_ day of \_\_\_\_\_, 2007, and thereafter **ADOPTED** at a Regular Meeting of said City Council held on the \_\_\_\_\_ day of \_\_\_\_\_, 2007, by the following vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

**APPROVED**

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**RANDY VOEPEL, MAYOR**

**ATTEST**

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**LINDA A. TROYAN, MMC, CITY CLERK**

**City of Santee**  
**COUNCIL AGENDA STATEMENT**

3B

**MEETING DATE**

January 24, 2007

**AGENDA ITEM NO.**

**ITEM TITLE**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, AMENDING SECTIONS 1.08.010 AND 13.42.170 OF THE MUNICIPAL CODE AND ADDING CHAPTER 1.14 REGARDING ADMINISTRATIVE CITATIONS AND FINES**

**DIRECTOR/DEPARTMENT**

City Attorney

**DISCUSSION**

The proposed Ordinance would amend Sections 1.08.010 and 13.42.170 and add Chapter 1.14 to the Municipal Code, authorizing the City to issue administrative citations and collect administrative fines for violation of any local ordinance or Code section, including violations of the City's Storm Water Ordinance. Under the proposed Ordinance, any person who violates any provision of the Code, a condition of approval of a permit or entitlement, a condition of an environmental review, or any term or condition of an agreement with the City may be issued an administrative citation containing an assessment of a civil fine in an amount specified by City Council resolution or as described in the proposed Ordinance or other City ordinances. The fine must be paid within thirty days; the recipient may request a hearing on the administrative citation but must pay the fine as an advance deposit.

The authority to issue administrative citations and collect administrative fines for violation of local laws will help ensure compliance with the Municipal Code, permits and entitlements, environmental review, and City agreements in a timely and efficient manner and will provide a method to hold parties responsible when they fail or refuse to comply with the provisions of the Municipal Code, permits and entitlements, environmental review, and City agreements. Adoption of the proposed Ordinance will reduce the burden on the judicial system and minimize the time and expense of prosecuting Code violations. It will create a more efficient way for the City to enforce the Municipal Code and enhance the community. The proposed Ordinance also provides an administrative process to appeal the imposition of administrative citations and fines that includes a preliminary hearing with the City Manager as well as a hearing before a Hearing Officer, and which fully comports with the requirements of due process.

**FINANCIAL IMPACT**

Unknown. Potential costs relating to hearings before a hearing officer.

**RECOMMENDATION**

Staff recommends that the City Council conduct a first reading of the proposed Ordinance.

**ATTACHMENT**

Proposed Ordinance.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTEE,  
CALIFORNIA, AMENDING SECTIONS 1.08.010 AND 13.42.170 OF THE  
MUNICIPAL CODE AND ADDING CHAPTER 1.14 REGARDING  
ADMINISTRATIVE CITATIONS AND FINES**

**WHEREAS**, the City Council finds that there is a need for an alternative method of enforcement for the Municipal Code, permits and entitlements, environmental reviews, and City agreements; and

**WHEREAS**, the City Council also finds that an appropriate method for enforcement of various violations is an Administrative Citation program that will reduce the burden on the judicial system while providing full due process for those cited; and

**WHEREAS**, the procedures established by this Ordinance are in addition to criminal, civil or other legal remedies that may be available to the City of Santee to enforce violations of the Municipal Code or applicable State Codes; and

**WHEREAS**, the City Council finds that administrative penalties, which are authorized by California Constitution Article XI, Section 7 and Government Code Section 53069.4, are an appropriate method of enforcement; and

**WHEREAS**, the City Council finds that the adoption and implementation of this Administrative Citation program is within the power and authority of the City of Santee and will achieve the following goals: (1) protect the public health, safety, and welfare of the citizens of the City of Santee; (2) help ensure compliance with the Municipal Code and State Codes, permits and entitlements, environmental review, and City agreements in a timely and efficient manner; (3) provide for an administrative process to appeal the imposition of Administrative Citations and fines that will fully comport with due process; (4) provide a method to hold parties responsible when they fail or refuse to comply with the provisions of the Municipal Code, permits and entitlements, environmental review, and City agreements in the City of Santee; and (5) reduce the burden on the judicial system and minimize the time and expense of prosecuting violations.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, DOES ORDAIN AS FOLLOWS:**

**Section 1.** Subsection 1.08.010 of the Santee Municipal Code is amended to read as follows:

“Any person violating any of the provisions or failing to comply with any of the mandatory requirements of the ordinances of the city of Santee shall be guilty of a misdemeanor, unless the violation is made an infraction by ordinance. Any violation of any provision or failure to comply with any of the mandatory requirements of this code may also be subject to an Administrative Citation and/ or fine issued under Chapter 1.14 of this code.”

**Section 2.** Chapter 1.14 is added to the Santee Municipal Code to read as follows:

## **Chapter 1.14**

### **ADMINISTRATIVE CITATIONS AND FINES**

#### **1.14.010 Definitions.**

- A. “Administrative Citation” means a written notice that mandates corrective action and establishes a fine as a penalty.
  
- B. “City Agreement” means and includes, but is not limited to, a development agreement, owner participation agreement, disposition and development agreement, road maintenance agreement, easement, license, other real property use agreement, and an agreement to implement an ordinance, plan, permit, entitlement, or review approved by the City.
  
- C. “City Manager” means the City Manager of the City of Santee, or his or her designee.
  
- D. “Enforcement Officer” means any officer, employee or agent of the City with the authority to enforce the Municipal Code, including, but not limited to, a code Enforcement Officer, lifeguard, parking Enforcement Officer, inspector, or the fire marshal.
  
- E. “Environmental Review” means and includes, but is not limited to an environmental impact report, mitigated negative declaration, negative declaration, and determination of categorical exemption, including any mitigation, monitoring and reporting program.
  
- F. “Hearing Officer” means the person selected by the City Manager to conduct an administrative hearing pursuant to the provisions of this chapter.
  
- G. “Municipal Code” means the Santee Municipal Code.

H. "Permit" or "Entitlement" means and includes, but is not limited to, a development review permit, a conditional use permit, sign permit, variance, specific plan, parcel map, subdivision map, building or grading permit, encroachment or right-of-way permit, business license, stormwater permit, and any other permit required by the Municipal Code.

I. "Responsible Person" means an individual, partnership, corporation, Limited Liability Company, nonprofit corporation, trustee, association or any other legal entity, and who is any of the following:

1. The owner or occupant of real property;
2. The holder or the agent of the holder of any permit, entitlement, or review;
3. The party or the agent of a party to an agreement covered by this chapter;
4. The owner or the authorized agent of any business, company, or entity subject to this chapter; or
5. The parent or legal guardian of any person under the age of eighteen years who violates any provision of the Municipal Code, permit, entitlement, environmental review, or City Agreement.

#### **1.14.020 Issuance of Administrative Citation.**

A. Any person who violates any provision of the Municipal Code, any condition of approval of a Permit or Entitlement, any condition or provision of an Environmental Review, or any term or condition of any City Agreement may be issued an Administrative Citation by an Enforcement Officer as provided in this chapter. A violation of this code includes, but is not limited to, all violations of the Municipal Code and the failure to comply with any condition imposed by any entitlement, permit, City agreement or environmental review issued or approved pursuant to this code.

B. Each and every day that a violation of any provision of the Municipal Code, any condition of approval of a Permit or Entitlement, any condition or provision of an Environmental Review, or any term or condition of any City Agreement continues to exist constitutes a separate and distinct offense. A separate citation may be issued for each day such violation continues to exist.

C. A civil fine shall be assessed by means of an Administrative Citation issued by the Enforcement Officer and shall be payable directly to the City of Santee.

D. Fines shall be assessed in the amounts specified by resolution or ordinance of the City Council or, where no amount is specified, in the following amounts:

1. A fine not exceeding one hundred dollars (\$100) for a first violation;
2. A fine not exceeding two hundred dollars (\$200) for a second violation of the same provision of the Municipal Code, condition of approval of a Permit or Entitlement, condition or provision of an Environmental Review, or term or condition of any City Agreement within an eighteen-month period from the date of the first violation;
3. A fine not exceeding five hundred dollars (\$500) for the third violation of the same provision of the Municipal Code, condition of approval of a Permit or Entitlement, condition or provision of an Environmental Review, or term or condition of any City Agreement within an eighteen-month period from the date of the first violation;
4. A fine not exceeding one thousand dollars (\$1,000) for each additional violation beyond the third violation of the same provision of the Municipal Code, condition of approval of a Permit or Entitlement, condition or provision of an Environmental Review, or term or condition of any City Agreement within an eighteen-month period from the date of the first violation.

E. A second or subsequent violation punishable as set forth above need only be of the same provision of the Municipal Code, condition of approval of a Permit or Entitlement, condition or provision of an



Environmental Review, or term or condition of any City Agreement to require the larger fine, and need not involve the same personnel or property, provided that the same Responsible Person is cited. The fine amounts shall be cumulative where multiple citations are issued.

F. If the violation pertains to building, plumbing, electrical, or other similar structural or zoning issues, that do not create an immediate danger to health and safety, then the Responsible Person shall be issued a warning only on the first violation. The warning will advise the Responsible Person of the nature of the violation and the date upon which the violation shall be corrected. The Responsible Person will be given fifteen days to correct the violation. If the violation is not corrected within that time period, an Administrative Citation with a fine shall be issued.

#### **1.14.030 Service Procedures.**

A. An Administrative Citation on a form approved by the City Manager may be issued to the Responsible Person by an Enforcement Officer for violation(s) of any provision of the Municipal Code, condition of approval of a Permit or Entitlement, condition or provision of an Environmental Review, or term or condition of any City Agreement in the following manner:

1. Personal Service. In any case where an Administrative Citation is issued:

a. The Enforcement Officer shall attempt to locate and personally serve the Responsible Person and obtain the signature of the Responsible Person on the Administrative Citation.

b. If the Responsible Person served refuses or fails to sign the Administrative Citation, the failure or refusal to sign shall not affect the validity of the Administrative Citation or of subsequent proceedings.



2. Service of Citation by Mail. If the Enforcement Officer is unable to locate the Responsible Person, the Administrative Citation shall be mailed to the Responsible Person by certified mail, postage prepaid with a requested return receipt. Simultaneously, the citation may be sent by first class mail. If the Administrative Citation is sent by certified mail and returned unsigned, then service shall be deemed effective by first class mail, provided the citation sent by first class mail is not returned by the United States Postal Service.

3. Service of Citation by Posting Notice. If the Enforcement Officer does not succeed in personally serving the Responsible Person, or by certified mail or first class mail, the Enforcement Officer shall post the Administrative Citation on any real property within the City in which the City has knowledge that the Responsible Person has a legal interest, and such posting shall be deemed effective service.

B. Upon complying with the service procedures set forth in this section, the Enforcement Officer must complete a declaration of service.

#### **1.14.040      Contents of Notice.**

A. Each Administrative Citation shall contain the following information:

1. Date, approximate time, and address or definite description of the location where the violation(s) was observed;
2. The provision of the Municipal Code, condition of approval of a Permit or Entitlement, condition or provision of an Environmental Review, or term or condition of the City Agreement violated and a description of the violation(s);
3. An order to the Responsible Person to correct the violation(s) within the time specified, if applicable, and an explanation of the consequences of failure to correct the violation(s);
4. The amount of the fine for the violation(s);

5. An explanation of how the fine shall be paid and the time period by which it shall be paid;
6. A notification that payment of the fine does not excuse or discharge the failure to correct the violation and does not bar further enforcement action by the City;
7. A statement that if the fine is not timely paid, a late payment penalty of twenty-five percent (25%) of the amount of the fine will be added to the fine, and interest of ten percent 10% per month may also apply to outstanding fines;
8. Identification of rights of appeal, including the time within which the citation may be contested and the place to obtain a request for hearing form to contest the Administrative Citation; and
9. The name and signature of the Enforcement Officer, the name and address of the Responsible Person and, if possible, the signature of the Responsible Person.

#### **1.14.050      Satisfaction of Administrative Citation.**

A. Upon receipt of a citation, the Responsible Person must do the following:

1. Pay the fine to the City within thirty (30) days from the date of service of the Administrative Citation. All fines assessed shall be payable to the Santee City Treasurer. Payment of a fine shall not excuse or discharge the failure to correct the violation(s) nor shall it bar further enforcement action by the City; or
2. Contest the Administrative Citation and request an administrative hearing, following the procedures set forth in Section 1.14.060 of this chapter, within thirty (30) days from the date of service of the Administrative Citation.

#### **1.14.060      Appeal of Citation.**

A. Any recipient of an Administrative Citation may contest that there was a violation of the Municipal Code, condition of approval of a Permit or Entitlement, condition or provision of an Environmental Review, or term or condition of any City Agreement, or that he or she is the Responsible

Person by completing a request for hearing form and returning it to the City within thirty (30) days from the date of service of the Administrative Citation.

B. The request for hearing form must be accompanied by either an advanced deposit of the fine or a request for hardship waiver pursuant to Section 1.14.070 of this chapter. Any Administrative Citation fine which has been deposited shall be refunded if it is determined, after a hearing, that the person charged in the Administrative Citation was not responsible for the violation(s) or that there was no violation(s) as charged in the Administrative Citation.

#### **1.14.070      Hardship Waiver.**

A. A person who files a request for an administrative hearing may also request at the same time a hardship waiver of the fine deposit. To seek request a hardship waiver and obtain a separate hearing on the hardship waiver request. In order to initiate a hardship waiver request, the Responsible Person must check the box indicating this request on the Administrative Citation form and attach a statement of the grounds for the request. To be effective, the form requesting the waiver and the administrative hearing must be received by the City Manager's office within fifteen (15) days of the date of service of the Administrative Citation.

B. The waiver request will be decided by the City Manager and issue the advance deposit hardship waiver only if the Responsible Person submits to the City Manager a sworn affidavit, together with any supporting documents or materials, demonstrating to the satisfaction of the City Manager the person's actual financial inability to deposit with the City the full amount of the fine in advance of the hearing.

C. The City Manager shall inform the Responsible Person in writing of whether the waiver was approved, by serving the Responsible Person personally or by mail at the address provided in the waiver application. The City Manager's determination is final and is not subject to appeal or judicial review.

D. If the waiver is denied, the Responsible Person shall pay the fine amount within ten (10) days of service of the denial. Failure to pay the fine by the time required shall be deemed an abandonment of the contest and renders the fine delinquent.

#### **1.14.080 Preliminary Hearing.**

A. No hearing to contest an Administrative Citation shall be held unless and until a request for administrative hearing form has been completed and submitted, and the fine has been deposited in advance, or a hardship waiver application has been approved.

B. Within fifteen (15) days of receipt of a request for an administrative hearing and accompanying deposit or waiver and prior to any hearing before a Hearing Officer, a preliminary hearing on the contest shall be held before the City Manager. The Responsible Person or his or her representative and any other interested party may attend the preliminary hearing. The City Manager may consolidate preliminary hearings on Administrative Citations issued to the same Responsible Person.

C. At or before the preliminary hearing, the Responsible Person must submit to the City Manager copies of the citations, reports and other documents submitted or relied upon by the Enforcement Officer, and may submit any reasonable evidence relevant to whether the violation(s) occurred and whether the Responsible Person has caused or maintained the violation(s). No other discovery is permitted. Formal rules of evidence shall not apply.

D. The City Manager may issue an oral decision on the contest at the conclusion of the preliminary hearing, and must issue a written decision, which may be on a City form. If the City Manager determines that First Amendment rights are involved, the decision shall be issued orally at the conclusion of the preliminary hearing and shall be effective immediately. The written decision shall be provided to the Responsible Party within ten (10) days of the hearing and shall either affirm the issuance of the Administrative Citation or dismiss the Administrative Citation. The decision shall briefly state the reasons for the City Manager's conclusion.

E. If the City Manager affirms the issuance of the Administrative Citation, then the deposit with the City shall be retained by the City. If a hardship waiver was granted, the decision shall set forth a payment schedule for the fine.

F. If the City Manager determines that the Administrative Citation should be canceled and the fine was deposited with the City, then the City shall refund the deposit within ten days of the City Manager's decision.

G. The City Manager shall not have the power to reduce the fine. The City Manager may impose conditions and deadlines to correct any violations or require payment of any outstanding penalties.

H. The decision of the City Manager shall be final unless within ten (10) days of the issuance of the City Manager's decision in the preliminary hearing, the Responsible Person files a request for a hearing before the Hearing Officer on such form as the City may prescribe.

#### **1.14.090 Hearing Officer.**

A. If the Responsible Person requests a hearing before a Hearing Officer as set forth in Section 1.14.100 of this chapter, the City Manager shall first select a fair and impartial Hearing Officer from a panel selected by City Council. The Hearing Officer shall not be a Santee City employee, but may be a disinterested member of the community or such other disinterested individual determined to be competent by the City Council in its reasonable discretion.

B. The employment, performance evaluation, compensation and benefits of the Hearing Officer, if any, shall not be directly or indirectly conditioned upon the amount of Administrative Citation fines upheld by the Hearing Officer.

#### **1.14.090      Hearing Procedures before Hearing Officer.**

A. Upon timely receipt of a request for hearing before the Hearing Officer, a hearing before the Hearing Officer shall be set for a date that is not less than fifteen (15) and not more than sixty (60) days from the date of receipt of the request. No hearing before the Hearing Officer shall be held unless and until a request form has been completed and submitted, and the fine has been deposited in advance or a hardship waiver application has been approved, the City Manager has issued a final decision in the preliminary hearing, and a separate request for a hearing before the Hearing Officer has been completed and submitted. The Hearing Officer may consolidate hearings on Administrative Citations issued to the same owner or Responsible Person. The Responsible Person requesting the hearing shall be notified of the time and place set for the hearing at least ten (10) days prior to the date of the hearing.

B. At least ten (10) days prior to the hearing before the Hearing Officer, the recipient of an Administrative Citation shall be provided with copies of the citations, reports and other documents submitted or relied upon by the Enforcement Officer. If, after copies of documents have been provided to the Responsible Person, the City determines to submit to the Hearing Officer additional documents then, whenever possible, a copy of such documents shall be provided to the Responsible Person prior to the hearing. No other discovery is permitted. Formal rules of evidence shall not apply.

C. The Hearing Officer shall only consider evidence that is relevant to whether the violation(s) occurred and whether the Responsible Person has caused or maintained the violation(s). Courtroom rules of evidence shall not apply. Relevant hearsay evidence and written reports may be admitted whether or not the speaker or author is present to testify if the Hearing Officer determines that the evidence is reliable. Admission of evidence and the conduct of the hearing shall be controlled by the Hearing Officer in accordance with the fundamentals of due process. The Hearing Officer may limit the total length of the hearing to one hour, and shall allow the Responsible Person at least as much time to present its case as is allowed the City.

D. At the hearing before the Hearing Officer, the Responsible Person shall be given the opportunity to present, either themselves or through a representative, evidence and testimony concerning the Administrative Citation. The City's case shall be presented by an Enforcement Officer or by any other authorized agent of the City.

E. The failure of the Responsible Person, either personally or through a representative, to appear at the Administrative Citation hearing shall constitute a forfeiture of the fine and a failure to exhaust his or her administrative remedies.

F. The Hearing Officer may continue the hearing and request additional information from the Enforcement Officer or the recipient of the Administrative Citation prior to issuing a written decision.

#### **1.14.110 Hearing Officer's Decision.**

A. After considering all of the testimony and evidence submitted at the hearing before the Hearing Officer, the Hearing Officer may announce a decision orally, but in any event, shall prepare a written decision. If the Hearing Officer determines that First Amendment rights are involved, the decision shall be issued orally at the conclusion of the hearing and shall be effective immediately. The written decision shall be provided to the Responsible Party and the City within ten (10) days of the hearing and shall either affirm the issuance of the Administrative Citation or dismiss the Administrative Citation. The decision shall briefly state the reasons for the Hearing Officer's conclusion. The City shall personally deliver a copy of the decision to the Responsible Person. The decision of the Hearing Officer shall be final and is not appealable to the City Council.

B. If the Hearing Officer affirms the issuance of the Administrative Citation, then the deposit with the City shall be retained by the City. If a hardship waiver was granted, the decision shall set forth a payment schedule for the fine.

C. If the Hearing Officer determines that the Administrative Citation should be canceled and the fine was deposited with the City, then the City shall refund the deposit within ten days of the Hearing Officer's decision.

D. The Hearing Officer shall not have the power to reduce the fine. The Hearing Officer may impose conditions and deadlines to correct any violations or require payment of any outstanding penalties.

#### **1.14.120 Failure to Pay Fines.**

A. The failure of any person to pay the civil fines imposed by an Administrative Citation within the time specified on the citation may result in the filing of a claim with the small claims court or the superior court for recovery of the fine. The only issue to be adjudicated by the court shall be whether or not the fines were paid. A person cited may only obtain judicial review of the validity of the Administrative Citation by writ of mandate after exhausting their administrative remedies by requesting and participating in a preliminary hearing and a hearing before a Hearing Officer. In the court action, the City may also recover its collection costs, including costs relating to the hearing before the Hearing Officer, and any court fees, according to proof.

B. In lieu of or in addition to the filing of a court action to recover the civil fines imposed by an Administrative Citation, the City may establish a special assessment, in the amount of the fine plus interest and late charges as set forth in Section 1.14.140 of this chapter, against the real property upon which the violation occurs.

1. The assessment may be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary municipal taxes. All laws applicable to the levy, collection and enforcement of municipal taxes shall be applicable to the special assessment.

2. If the identity of the owner of the real property can be determined, the City shall make its best effort to provide notice of the special assessment to the owner by certified mail at the time of imposing the assessment. Such notice will specify that the property may be sold after three years by the tax collector for unpaid delinquent assessments. The tax collector's power of sale shall not be affected by the failure of the property owner to receive notice. Assessment of administrative fines as provided hereunder



does not preclude assessment of other costs of abatement of any nuisance against the same property at a later date.

3. If any real property against which the special assessment relates has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrancer for value has been created and attaches thereon, prior to the date on which the first installment of the taxes would become delinquent, then the cost of abatement shall not result in a lien against the real property but instead shall be transferred to the unsecured roll for collection.

4. A sale of vacant residential developed property for which the payment of a special assessment imposed pursuant to this chapter is delinquent may be conducted, subject to the requirements applicable to the sale of property pursuant to Section 3691 of the Revenue and Taxation Code.

5. Notices or instruments relating to the special assessment shall be entitled to recordation.

C. Attorneys fees shall be recoverable by the prevailing party in any action, administrative proceeding, or special proceeding authorized under this chapter. The collection of attorneys' fees by the city under the authority of this subdivision may be in any manner specified under this chapter for the collection of any fine or cost relating to Administrative Citations issued hereunder. The City may but is not required to state its election, at the initiation of any individual action or proceeding, to seek recovery of its own attorneys' fees relating to such action or proceeding. The City is not precluded from seeking its own attorneys' fees as the prevailing party in any action or proceeding under this Chapter by any failure to state its election to do so at the initiation of such action or proceeding. In no action, administrative proceeding, or special proceeding hereunder shall an award of attorneys' fees to a prevailing party exceed the amount of reasonable attorneys' fees incurred by the City in the action or proceeding.

D. The City at its discretion may pursue any and all legal and equitable remedies for the collection of unpaid fines, interest and penalties relating to any Administrative Citation. The use of one recovery method does not preclude the use of any other recovery method.

#### **1.14.130 Reduction of Cumulative Fines.**

If the violation is corrected within a reasonable time after the decision of the City Manager or the Hearing Officer, as applicable, the City Manager shall have the discretion to reduce any cumulative fines to a total of not less than one thousand dollars (\$1,000) upon good cause shown by the Responsible Person. The determination of the City Manager shall be final and shall not be subject to appeal or judicial review. Fines shall not otherwise be reduced.

#### **1.14.140 Late Payment Charges.**

Any Responsible Person who fails to pay a fine imposed by this chapter on or before the date that payment is due, shall also be liable for the payment of a late payment charge of twenty-five percent (25%) of the fine. In addition, delinquent fines shall accrue interest at the rate of ten percent (10%) per month, excluding penalties, from the due date.

#### **1.14.150 Judicial Review.**

Any Responsible Party may obtain review of the final administrative decision of the Hearing Officer on the Administrative Citation by filing a petition with the Superior Court of San Diego in accordance with the timelines and provisions set forth in California Government Code Section 53069.4. Judicial review shall not be available without first participating in all hearing procedures as provided in this chapter

#### **1.14.150 Procedural Compliance.**

Failure to comply with any procedural requirement of this chapter, to receive any notice or decision specified in this chapter, or to receive any copy required to be provided by this chapter shall not affect the validity of proceedings conducted hereunder unless the Responsible Person is denied constitutional due process thereby.

**Section 3.** Subsection 13.42.170 of the Santee Municipal Code is amended to read as follows:

“A. Civil Penalties. Any person who violates any of the provisions of this chapter shall be liable for a civil penalty not to exceed one-thousand dollars for each day such a violation exists, and all pollution detection and mitigation costs, if applicable.

B. Criminal Penalties. Any person who knowingly or intentionally violates any provision of this chapter shall be guilty of a misdemeanor punishable by imprisonment in the county jail for a period not to exceed one year, or a fine not to exceed ten-thousand dollars for each day such a violation exists, or both.

C. Any monetary penalties collected by the city pursuant to violations of this chapter, shall be returned to the city to be used for storm water pollution management.

D. Any violation of any provision or failure to comply with any of the mandatory requirements of this chapter may also be subject to an Administrative Citation and/ or fine issued under Chapter 1.14 of this code.”

**Section 4.** The City Council hereby authorizes and directs the City Clerk to undertake such actions as may be reasonably necessary or convenient to the carrying out and administration of the actions authorized by this Ordinance.

**Section 5.** This Ordinance shall become effective thirty (30) days after its passage.

**Section 6.** The City Clerk is directed to publish notice of this Ordinance as required by law.

**INTRODUCED AND FIRST READ** at a Regular Meeting of the City Council of the City of Santee, California, on the \_\_\_\_ day of \_\_\_\_\_, 2007, and thereafter **ADOPTED** at a Regular Meeting of said City Council held on the \_\_\_\_\_ day of \_\_\_\_\_, 2007, by the following vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

**APPROVED**

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**RANDY VOEPEL, MAYOR**

**ATTEST**

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**LINDA A. TROYAN, MMC, CITY CLERK**

**MEETING DATE:** JANUARY 24, 2007

**AGENDA ITEM NO. 4A**

**ITEM TITLE**      **ANNUAL PRESENTATION OF LOCAL APPOINTMENTS LIST —  
BOARDS, COMMISSIONS & COMMITTEES**

**DIRECTOR/DEPARTMENT**      Linda A. Troyan, MMC, City Clerk

**SUMMARY**

At its December 13, 2006 City Council meeting, Council received from the City Clerk, the annual listing of all appointed Boards, Commissions and Committees in accordance with State law (Maddy Act). The City Council directed this matter be returned at this meeting for annual review.

At this time, there currently exists a ***First Alternate and Second Alternate vacancy on SPARC; and one vacancy on the Human Relations Board.*** Council may wish to appoint representatives to vacancies and/or may deactivate any board, commission, or committee the Council believes has completed its original purpose.

The attached master listing will be updated to reflect Council's action at this meeting and will be available for public review at the Santee Library and the City Clerk's Office as required by state law.

**FINANCIAL STATEMENT**      N/A

**RECOMMENDATION**

- (1) Council action on recommended appointment(s), if any, as presented by Mayor at meeting; and
- (2) Reaffirmation/continuance of all other standing groups and representation as listed.

**ATTACHMENTS (Listed Below)**

Local Appointment List  
2006 Attendance Reports

CITY OF SANTEE  
LOCAL APPOINTMENTS LIST  
BOARDS, COMMISSIONS, AND COMMITTEES

Revised By:  
The City Clerk's Office  
January 2007

**PART ONE:**

The following Boards, Commissions, and Committees exist and function as a part of the City of Santee's internal municipal structure.

**CITY COUNCIL & SANTEE ELEMENTARY SCHOOL DISTRICT CONFERENCE  
COMMITTEE**

Established: 03/27/85 [City Council Minutes]. Established by City Council to meet with School Board Members to discuss selected items.

Qualifications: Member of City Council or School Board.

Term: Not specified.

Representatives: Jack Dale, Council Member  
Brian W. Jones, Council Member

School District: Allen Carlisle, Board Member [11/06]  
Dan Bartholomew, Board Member [11/06}

Appointment: 03/27/85

Reappointed: 01/28/87, 02/01/89, 01/24/90, 01/23/91, 01/22/92, 11/30/92, 01/13/93,  
02/10/93, 01/26/94, 12/06/94, 01/25/95, 01/24/96, 01/22/97,  
01/28/98, 01/27/99, 01/26/00, 01/24/01, 01/23/02, 2/12/03, 1/28/04,  
1/26/05, 1/25/06

**CITY SELECTION COMMITTEE**

Established: Under the auspices of the League of California Cities, San Diego County Division, this committee makes appointments to LAFCO, the Service Authority for Freeway Emergencies, and the Abandoned Vehicle Abatement Service Authority.

Qualifications: Every City Mayor automatically is a representative.

Term: Not specified.

Meetings: This committee meets as needed, usually on the 2<sup>nd</sup> Monday in April.

Representative: Randy Voepel, Mayor

Contact Person: David Hall, Acting Chief Deputy Clerk of the Board of Supervisors  
County of San Diego  
1600 Pacific Highway, Room 402  
San Diego, CA 92101-2471

Phone: (619) 531-5433

### **COMMUNITY ORIENTED POLICING COMMITTEE**

Established: 08/14/96 [Resolution 129-96]. The purpose of the Committee is to make recommendations regarding the City's Community Oriented Policing Program. These may include recommendations regarding crime prevention, drug awareness, education programs, neighborhood watch programs, law enforcement staffing, and other issues regarding the City's overall policing effort. The committee recommendations are forwarded to the Council for final action.

**Qualifications:** Seven members are set forth by Council including a City Council Member, City Manager, Santee Sheriff's Station Commander, representatives from the Santee School District, Grossmont Union High School District, Chamber of Commerce, and a Citizen at Large to be appointed by the Mayor, with the approval of the City Council.

**Term:** Not specified.

**Representatives:** John Minto, Council Member  
Keith Till, City Manager  
Jodene Dunphy, Director of Human Resources  
Captain Greg Reynolds, Santee Sheriff's Station Commander  
Bob Kull, Santee School District  
Larry Oedewaldt, Vice Principal, Santana High School  
Brian Wilbur, Principal, West Hills High School  
Warren Savage, Executive Director, Santee Chamber of  
Commerce

**Citizen at Large:** Shari Groce  
9931 Cardoza Dr.  
Santee, CA 92071  
Home: (619) 258-0653  
Work: (858) 592-3170

**Appointed:** 11/16/05

**Meetings:** Quarterly or as needed.

**Contact Person:** Keith Till, City Manager

**Appointment:** 11/16/05

**COMMUNITY LEADERS FORUM MCAS MIRAMAR**

Established: 04/28/99 [City Council Minutes]. Meetings to provide current information regarding ongoing activities at the base relating to helicopter flight patterns at MCAS Miramar.

Term: Not specified.

Representative: Randy Voepel, Mayor

Resident Co-Rep: James D. Panknin  
9830 Via Leslie  
Santee, CA 92071  
Phone: 448-4766  
Work: 861-5982

Appointed: 6/9/04  
Reappointed: 1/26/05

Contact: Colonel Philip Parkhurst, AC-S

Address: Assistant Chief of Staff  
Attn: CP& L Colonel Parkhurst  
P. O. Box 452001  
San Diego, CA 92145-2001

Phone: (858) 577-6609

Meetings: Third Thursdays, monthly, at 5:30 p.m. at MCAS Miramar.



## **HUMAN RELATIONS ADVISORY BOARD**

Established: 05/09/01 [Resolution 58-2001]. The purpose of the Committee is to act in an advisory capacity to the City Council on matters pertaining to human relations in the City of Santee.

Qualifications: Appointments are made by the Mayor, with the approval of the City Council. Members shall have demonstrated an expertise in human relations work and a commitment to fostering better human relations in the City. At least three of five of the members must be Santee residents for the duration of their term.

Term: The Mayor has term length discretion.

Meetings: Meetings are typically held the fourth Thursday of every month or on an as-needed basis at City Hall, 10601 Magnolia Avenue, Council Chambers Conference Room.

Staff Assistance: Assistant to the City Manager, Kathy Valverde

### **Board Members:**

Don Hamer, Chairperson 10601 Magnolia Avenue Santee, CA 92071 (619) 258-4100, ext. 229	Appointed: 06/13/01
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Thomas Carr 10601 Magnolia Avenue Santee, CA 92071 (619) 258-4100, ext. 229	Appointed: 02/12/03
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Dennis Dater 10601 Magnolia Avenue Santee, CA 92071 (619) 258-4100, ext. 229	Appointed: 02/12/03
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David Aguirre 10601 Magnolia Avenue Santee, CA 92071 (619) 258-4100, ext. 229	Appointed: 02/12/03
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Tawni Jochens 10601 Magnolia Avenue Santee, CA 92071 (619) 258-4100, ext. 229	Appointed: 11/16/05
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VACANCY- Alternate	Appointed:
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## **LIBRARY COMMITTEE**

Established: 1/22/97 [City Council Minutes].

Qualifications: Two City Council Members, three representatives from the Friends of the Library, two from the Grossmont High School District, one from the County Library, one from the Santee School District, one from the Santee School District PTA, one from the Santee Historical Society, one from SMOAC, one from the Chamber of Commerce, one from the Santee Ministerial Council, and four members at large.

Term: Unknown.

Meetings: As needed.

Appointment: 03/12/97  
9/23/98 [Firefighter appointment added]  
7/25/01 [Firefighter appointment deleted]  
5/24/00 [San Diego County 2<sup>nd</sup> Supervisorial District added]  
5/14/03 [San Diego County 2<sup>nd</sup> Supervisorial District removed]

Reappointed: 01/28/98, 01/27/99, 01/26/00, 01/24/01, 01/23/02, 2/12/03, 1/28/04,  
1/26/05, 1/25/06

Chairman: Brian W. Jones, Council Member  
Council Rep.: Randy Voepel, Mayor

## **Library Committee Members:**

(next page)

Barbara Sutton, County Library  
Santee Branch  
9225 Carlton Hills Boulevard  
Santee, CA 92071  
Work: 448-1863

Zoe Herald, Friends of the Library  
9411 Medina Drive  
Santee, CA 92071  
Home: 596-7762

Rashna Kowalski, Santee School District  
PTA  
9722 Castaic Ct.  
Santee, CA 92071  
Home: 449-7636

Danielle Ito, Santana High School  
Grossmont Union HS District  
9915 Magnolia Avenue  
Santee, CA 92071  
Work: 448-5500

Elaine Murphy, Santee Historical Society  
9255 Magnolia Avenue, #278  
Santee, CA 92071  
Home: 448-8099

Ken Zuorro  
Santee Chamber of Commerce  
10315 Mission Gorge Road  
Santee, CA 92071  
Work: 449-6689

Kimberley Layton, Member at Large  
9905 Mollie Lane  
Santee, CA 92071  
Home: (619) 562-9686  
Work: (858) 874-4500  
Appointed: 5/10/00

Linda Peck, Member at Large  
9408 Wharton Road  
Santee, CA 92071  
Home: 562-6345  
Appointed: 1/24/01

Marilynn Fitzpatrick, Friends of the Library  
10273 Princess Sarit Way  
Santee, CA 92071  
Home: 449-2475

Joe Miller, Friends of the Library  
9225 Carlton Hills Blvd  
Santee, CA 92071  
Work: 596-1525

Grossmont Union HS District  
8756 Mast Boulevard  
Santee, CA 92071  
Work: 596-3600

Diane El-Hajj, Santee School District  
9625 Cuyamaca Street  
Santee, CA 92071  
Work: 258-2304

James Montague, SMOAC  
8301 Mission Gorge Road, #44  
Santee, CA 92071  
Work: 596-4901

Gwen Jones-Lurvey  
Santee United Methodist Church  
8964 Magnolia Avenue  
Santee, CA 92071  
Work: 448-4456

Richard Emerick, Member at Large  
9575 Cambury Dr.  
Santee, CA 92071  
Home: 448-0934  
Appointed: 2/12/03

Karen Stackpole, Member at Large  
10144 Peaceful Court  
Santee, CA 92071  
Home: (619) 977-3211  
Appointed: 1/26/05

## **MANUFACTURED HOME FAIR PRACTICES COMMISSION**

Established: 06/10/94 [by City Ordinance 324]. and amended 08/26/94 [by Ordinance 329.] The purpose of the Commission is to ensure that the provisions of the Santee Manufactured Home Fair Practices Ordinance are appropriately implemented in Santee.

Qualifications: The Commission consists of five regular members. All members must be resident electors and are appointed by the Mayor, with the approval of the City Council. No member shall be:

- (a) a manufactured home owner or resident;
- (b) an owner, operator or manager of a manufactured home park;
- (c) any person owning or possessing any interest in, or operating or managing, any other rental property totaling four (4) or more dwelling units, whether such four (4) units are located on one parcel or lot, or are spread among several parcels or lots. As used in this section, "dwelling unit" shall mean an apartment unit, a condominium unit, or a single family residence.
- (d) a person with an identifiable economic or professional interest in the rights of park owners or residents.

Term: Each regular member shall be appointed to serve a two-year term. Each regular member shall hold office until a new member has been duly appointed.

Meetings: Meetings are held quarterly on the 3<sup>rd</sup> Thursday of March, June, September, and December at City Hall Council Chambers, 10601 Magnolia Avenue.

Staff Assistance: Finance Department – Housing Services Division, Director Tim McDermott  
Commission Secretary – Finance Director Tim McDermott

Deleted:

**Commission Members:**  
(next page)

**Commission Members:**

Thomas Carr	Appointed:	01/24/01
9342 Willowgrove Avenue	Reappointed:	02/12/03, 1/26/05
Santee, CA 92071	Term Ends:	2007
Home: 596-1511 Work: 442-1919 Ext. 223		

Don Preis	Appointed:	01/25/95
10555 Braverman Drive	Reappointed:	05/22/96, 01/28/98, 01/26/00
Santee, CA 92071		01/23/02, 1/28/04
Home: 258-5814	Work 258-5814	Term Ends: 2006

Lee E. Wilson	Appointed:	01/25/95
9214 Inverness Road	Reappointed:	01/22/97, 01/27/99, 1/24/01,
Santee, CA 92071		02/12/03, 1/26/05
Home: 448-4058	Work: 234-8851	Term Ends: 2007

Rusty Williams	Appointed:	9/24/03, 1/26/05
9571 Abbeywood Road	Term Ends:	2007
Santee, CA 92071		
Home: (619) 448-5396 Work: (619) 553-7464		

Kim Whitacre	Appointed:	11/16/05
10433 Len St.	Reappointed:	
Santee, CA 92071	Term Ends:	2006
Home: 258-0122		

**SANTEE PARK AND RECREATION COMMITTEE (SPARC)**

Established: 09/28/81 [Resolution 75-81]. The purpose of the Committee is to act in an advisory capacity to the City Council on matters pertaining to municipal parks and recreation programs in the City of Santee. April 26, 1995, Council adopted revised bylaws [City Council Minutes].

Qualifications: Resident appointments to the Santee Park and Recreation Committee are made by the Mayor, with the approval of the City Council.

Term: The Mayor has term length discretion.

Meetings: Meetings are on the first Thursday of each month at 7:00 p.m. at City Hall, 10601 Magnolia Avenue, Conference Room. in Bldg. 6, Community Services

Staff Assistance: Department of Community Services – Director, John Coates, Secretary, Debbie Daunis

**Committee Members:**

Dr. Alan R. Tuthill (Chair) Appointed 10/11/95  
10229 Julio Place  
Santee, CA 92071  
Work: 449-8100 Home: 449-5250

Anita Bautista Appointed: 10/11/95  
10605 Keith Street  
Santee, CA 92071  
Home: 449-2478

Harvey T. Sampson Appointed: 10/11/95  
9231 Fairlawn Street  
Santee, CA 92071  
Home: 448-8561

Ken Fox Appointed: 04/28/99  
9805 Bend Street  
Santee, CA 92071  
Home: 448-2881 Work: 443-1387

Lisa Neely Appointed 06/13/01  
10302 Princess Marcie  
Santee, CA 92071  
(619) 449-4074

Rusty Williams Appointed: 10/24/01  
9571 Abbeywood Road  
Santee, CA 92071  
Home: (619) 448-5396 Work: (619) 553-7464

Charles Hattaway  
10042 White Pine Lane  
Santee, CA 92071  
Home: 258-9093 Work: (858) 694-1660

VACANCY Appointed:

James Dreisbach-Towle Appointed: 05/11/05  
10114 Shenandoah Dr.  
Santee, CA 92071  
Day: (619) 572-2870 Evening: (619) 448-2637

VACANCY

## **PART TWO**

The following Boards, Commissions, and Committees, external to the City of Santee's internal governmental process, have appointed delegates to represent the City of Santee.

Unless otherwise stated, appointments are made by the Mayor, with the approval of the City Council.

### **JOINT AGENCIES**

#### **ABANDONED VEHICLE ABATEMENT SERVICE AUTHORITY(\*Stipend Committee)**

This Joint-Agency body studies matters related to the abatement, removal, and disposal of abandoned, wrecked, dismantled, or inoperative vehicles in order to protect the health and safety of citizens.

Qualifications: The Board of Directors of the San Diego Service Authority for Freeway Emergencies shall constitute the members of the Board of Directors of the San Diego Abandoned Vehicle Abatement Service Authority.

Term: Not specified.

Representatives: Chairwoman Ann Kulchin, City of Carlsbad  
Vice Chair, Hal Ryan, City of Santee  
Bill Horn, County Board of Supervisors, 5th District  
Ron Roberts, County of Board of Supervisors, 4th District  
Mayor Diane Rose, City of Imperial Beach  
Council Member Donna Frye, City of San Diego, 1st District  
Council Member Tony Atkins, City of San Diego, 3rd District

Appointment: 09/25/91 [Resolution No. 170-91]

Reappointment: 01/22/92, 11/30/92, 01/13/93, 02/10/93, 01/26/94, 12/06/94, 01/25/95, 01/24/96, 01/22/97, 01/28/98, 01/27/99, 01/26/00, 01/24/01, 01/23/02, 2/12/03, 1/28/04, 1/26/05, 1/25/06

Meetings: Meetings are held bimonthly at the County Administration Center, 1600 Pacific Highway, Room 303, San Diego, CA 92104.

Contact Person: Ron Graham, Program Manager

Address: San Diego Police Department  
1401 Broadway, MS 715  
San Diego, CA 92101

Phone: (619) 525-8423



**EAST COUNTY ECONOMIC DEVELOPMENT COUNCIL**

Established: 12/12/84 [City Council Minutes].

Rejoin: 07/23/86 [City Council Minutes].

Qualifications: Position-specific, Mayor and Council Member

Term: Not specified.

Meetings: Second Monday, monthly, 7:30 a. m. in County Supervisor District 2 East County Board Room located at 250 East Main Street, Suite 169, El Cajon (East County Regional Center).

Representative : Randy Voepel, Mayor

Alternate: John Minto, Council Member

Deactivated: 11/18/92

Reactivated: 01/14/93

Appointment: 07/23/86

Reappointed: 01/28/87, 02/01/89, 01/24/90, 01/23/91, 01/22/92, 11/30/92, 02/10/93, 01/26/94, 12/06/94, 01/25/95, 01/24/96, 01/22/97, 01/28/98, 01/27/99, 01/26/00, 01/24/01, 01/23/02, 2/12/03, 1/28/04, 1/26/05, 1/25/06

Address: East County Economic Development Council  
1870 Cordell Court, Suite 202  
El Cajon, CA 92020

Phone: (619) 258-3670

Contact Person: Deanna Weeks, President/Chief Executive Officer

**EAST SAN DIEGO COUNTY GANG TASK FORCE COMMITTEE**

This Committee, comprised of representatives of various cities and agencies, establishes law enforcement, school personnel and community awareness in and intervention, suppression and prevention of gang activity in East San Diego County. October 2004.

Qualifications: Member of the City Council

Term: None

Representative: John Minto, Council Member

Contact Person: Dr. Terry Ryan, Superintendent  
Grossmont Union High School District

Address: 1100 Murray Drive  
El Cajon, CA 92020-5664

Phone: (619) 644-8083

### **GOODAN RANCH POLICY COMMITTEE**

In July, 1991, an agreement was signed by the State of California Department of Fish and Game, the County of San Diego, the City of Poway, and the City of Santee to jointly purchase Goodan Ranch. The Joint Powers Agreement, effective November 7, 1995, establishes the Goodan Ranch Policy Committee.

Qualifications: The Goodan Ranch Policy Committee is comprised of three elected representatives, appointed by the governing bodies of the County of San Diego, the City of Poway, and the City of Santee, and one representative from the State of California Department of Fish and Game. An alternate is also appointed by each of the Public Agencies.

Term: Not specified.

Meetings: Twice annually, or more often if agreed to by the three members of the Policy Committee.

Representative: Brian W. Jones, Council Member

Appointment: 01/24/96,

Reappointed: 01/22/97, 01/28/98, 01/27/99, 01/26/00, 01/24/01, 01/23/02, 2/12/03, 1/28/04, 1/26/05, 1/25/06

Alternate: Keith Till, City Manager, or designee.

Contact Person: John Coates, Director of Community Services

Address: City of Santee  
10601 Magnolia Avenue  
Santee, CA 92071

Phone: (619) 258-4100, Extension 126

# **HEARTLAND COMMUNICATIONS FACILITY COMMISSION**

Established: 07/23/86 [Council Minutes]. The Governing body of Heartland Communications Facility Authority-Board of Chiefs. Each public agency which is a party to this Agreement, has one seat on the Commission. The cities of El Cajon, Lemon Grove, Santee, and La Mesa, and the Alpine, Bostonia, Lakeside, and San Miguel Fire Protection Districts jointly equip, maintain, operate, and staff a facility thereby providing emergency call receiving and dispatching services to said public agencies.

Qualifications: Member of governing body of Public Agency

Term: Per appointing public agency

Meetings: Fourth Thursdays quarterly at the Fire Station at 100 East Lexington, 4:00 p.m.

Representative: Randy Voepel, Mayor  
Alternate: Brian Jones, Council Member

Appointment 12/10/86 City Council Meeting - Interim Appointment  
Reappointment 01/28/87, 02/01/89, 01/24/90, 01/23/91, 01/22/92, 11/30/92, 01/13/93, 02/10/93, 10/13/93, 01/26/94, 12/06/94, 01/25/95, 01/24/96, 01/22/97, 01/28/98, 01/27/99, 01/26/00, 01/24/01, 01/23/02, 2/12/03, 1/28/04, 1/26/05, 1/25/06

Contact:	Valerie Nellis Heartland Communications Facility Authority 100 East Lexington Ave. El Cajon, CA 92020 (619) 441-1623	George Wood, Communications Director Heartland Communications Facility Authority 100 East Lexington Ave. El Cajon, CA 92020-4517 (619) 441-1623 FAX: (619) 588-8730
Phone:		

### **HEARTLAND FIRE TRAINING FACILITY AUTHORITY COMMISSION**

Parties involved have common powers to secure the construction and operation of a fire training facility for training personnel, etc., at the Owens Tower Fire Training Facility.

Established: 12/01/73

Qualifications: Agency member Heartland Fire Training Facility Authority

Term: Per appointing public agency

Meetings: Second Thursdays quarterly at El Cajon City Hall, Fifth Floor Conference Room at 4:00 p.m.

Representative: Randy Voepel, Mayor

Alternate: Brian W. Jones, Council Member

Reappointed: 04/09/86, 01/28/87, 02/01/89, 01/24/90, 01/23/91, 01/22/92, 11/30/92, 01/13/93, 02/10/93, 01/26/94, 12/06/94, 01/25/95, 01/24/96, 01/22/97, 01/28/98, 01/27/99, 01/26/00, 01/24/01, 01/23/02, 2/12/03, 1/28/04, 1/26/05, 1/25/06

Contact: Valerie Nellis  
Heartland Communications Facility Authority  
100 East Lexington Ave.  
El Cajon, CA 92020

Phone: (619) 441-1623

### **LEAGUE OF CALIFORNIA CITIES**

Qualifications: Members of the City Council.

Term: Not specified.

Representative: John Minto, Council Member

Alternate: Randy Voepel, Mayor

Appointment: 1/26/05

Address: League of California Cities  
P.O. Box 82081  
San Diego, CA 92138-2081

Phone: (916) 658-8200

Contact Person: Catherine Hill, Regional Representative

**METROPOLITAN TRANSIT SERVICES (MTS) (formerly MTDB)**

Established: 01/31/85 [City Council Minutes].

Qualifications: Members of the City Council.

Term: Not specified.

Representative: Hal Ryan, Council Member

Alternate: Brian Jones, Council Member

Appointment: 01/31/85 - City Council Minutes

Reappointed: 01/28/87, 02/01/89, 01/24/90, 01/23/91, 10/09/91, 01/22/92, 11/30/92, 01/13/93, 02/10/93, 01/26/94, 12/06/94, 01/25/95, 01/24/96, 02/13/97, 01/28/98, 01/27/99, 01/26/00, 01/24/01, 01/23/02, 1/22/03, 1/28/04, 1/26/05, 2/9/05, 1/25/06

Address: Metropolitan Transit Development Board  
1255 Imperial Avenue, Suite 1000  
San Diego, CA 92101-7490

Phone: (619) 557-4510

Contact Person: Gail Williams, Executive Secretary/Clerk of the Board

### **MISSION TRAILS REGIONAL PARK TASK FORCE**

This Committee, comprised of representatives of various cities and agencies, advises on matters pertaining to acquisition, development, operation, and maintenance of Mission Trails Regional Park.

Qualifications: Member of the City Council.

Term: Not specified.

Membership: The Mission Trails Regional Park Task Force is comprised of two members from the San Diego City Council, one of whom shall be from the Council District in which the Regional Park is located, two members from the County Board of Supervisors, one of whom shall be from the Supervisorial District in which the Regional Park is located, one member from the Santee City Council, one member from the La Mesa City Council, and the Chairperson of the Mission Trails Regional Park Citizens Advisory Committee.

Meetings: Third Wednesday of odd numbered months at 12:15 p.m. at the San Diego City Administration Building, 202 C Street.

Representative: Brian W. Jones, Council Member

Alternate: Hal Ryan, Council Member

Reappointed: 03/08/82, 12/18/84, 01/31/85, 01/28/87, 02/01/89, 01/24/90, 01/23/91, 01/22/92, 11/30/92, 01/13/93, 02/10/93, 01/26/94, 12/06/94, 01/25/95, 01/24/96, 01/22/97, 01/28/98, 01/27/99, 01/26/00, 01/24/01, 01/23/02, 2/12/03, 1/28/04, 1/26/05, 1/25/06

Contact Person: David Monroe, District Manager, Northern Parks Division

Address: 202 C Street, MS 35A  
San Diego, CA 92101-3860

Phone: (619) 533-6733

Qualifications: City of Santee resident.

Representative: Gene Hatton  
11020 Summit Avenue  
Santee, CA 92071  
Appointed: 7/14/99  
Phone: (619) 448-3267

Reappointed: 12/18/84, 01/28/87, 02/01/89, 01/24/90, 01/09/91, 01/22/92, 11/30/92,  
01/13/93, 02/10/93, 01/26/94, 12/06/94, 01/25/95, 01/24/96, 01/22/97,  
01/28/98, 01/27/99, 01/26/00, 01/24/01, 01/23/02, 2/12/03, 1/28/04,  
1/26/05, 1/25/06

Contact Person: David Monroe, District Manager, Northern Parks Division  
202 C Street, MS 35A  
San Diego, CA 92101-3860  
Phone: (619) 525-8286



**SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG) Board of Directors**

Qualifications: Members of the City Council.

Representative: Jack Dale, Council Member

Alternate: Hal Ryan, Council Member

2<sup>nd</sup> Alternate: Randy Voepel, Mayor

3<sup>rd</sup> Alternate: John Minto, Council Member, specifically to serve on Borders Issues Subcommittee

Appointment: 1/26/05

Address: SANDAG  
401 B Street, Suite 800  
San Diego, CA 92101

Phone: (619) 699-1900

Contact Person: Deborah Gunn, Clerk of the Board

**Fresh Water Release Task Force**

Qualifications: Member of the City Council or Council designee.

Term: As specified above.

Representative: Keith Till, City Manager (or designee)

Appointment 01/28/87 [City Council Minutes]

Reappointed 01/23/91, 01/22/92, 11/20/92, 01/13/93, 02/10/93, 01/26/94, 12/06/94,  
01/25/95, 01/24/96, 01/22/97, 01/28/98, 01/27/99, 01/26/00, 01/24/01,  
01/23/02, 2/12/03, 1/28/04, 1/26/05, 1/25/06

**Transportation Demand Management Policy Advisory Committee**

Qualifications: City Council Member

Term: None Specified

Representative: Hal Ryan, Council Member

Appointment: 01/09/91 [City Council Minutes]

Reappointment: 01/22/92, 11/30/92, 01/13/93, 02/10/93, 01/25/95, 01/24/96, 01/22/97,  
01/28/98, 01/27/99, 01/26/00, 01/24/01, 01/23/02, 2/12/03, 1/28/04,  
1/26/05, 1/25/06

**San Diego SAFE (Service Authority for Freeway Emergencies)**

This Joint-Agency body studies matters relating to the installation of freeway call boxes.

Qualifications: Seven member group has two members appointed by the San Diego County Board of Supervisors; two members selected by San Diego City Mayor and appointed by City Selection Committee; three members selected from 17 remaining San Diego County cities and appointed by City Selection Committee.

Term: Not Specified.

Representatives: Chairwoman Ann Kulchin, City of Carlsbad  
Vice Chair, Hal Ryan, City of Santee  
Bill Horn, County Board of Supervisors, 5th District  
Ron Roberts, County of Board of Supervisors, 4th District  
Mayor Diane Rose, City of Imperial Beach  
Council Member Donna Frye, City of San Diego, 6<sup>th</sup> District  
Council Member Tony Young, City of San Diego, 4<sup>th</sup> District

Appointment: 01/22/86 [Council Minutes]; 01/22/86 [Resolution 19-86]

Reappointment: 02/01/89, 01/24/90, 01/23/91, 01/22/92, 11/30/92, 01/13/93, 02/10/93,  
01/25/95, 01/24/96, 01/22/97, 01/28/98, 01/27/99, 01/26/00, 01/24/01,  
01/23/02, 2/12/03, 1/28/04, 1/26/05, 1/25/06

Meetings: Meetings are public and occur bimonthly at the County Administration Center, 1600 Pacific Highway, Room 303, San Diego, CA 92104

Address: TeleTran Tek Services  
9167 Chesapeake Drive  
San Diego CA 92123

Phone: (858) 279-1299

Fax: (858) 279-8424

Contact Person: Edward Castoria, Program Director

## **COUNTY OF SAN DIEGO**

### **COUNTY SERVICE AREA (CSA) 69 (PARAMEDICS)**

Service Area (CSA) 69 (Paramedics) provides input to the County of San Diego relative to paramedic services offered to the Santee/Lakeside area. The group advises on the level of such services, how services might be better provided, and on the funding and budgetary aspects of the program within this service district.

Qualifications: City of Santee resident representative and a Member of the Santee City Council.

Term: Although the Mayor has term length discretion, Resident Representatives typically serve a term concurrent with the appointing Mayor. Council Representatives have no specified term length.

Membership: Members are appointed by participating organizations: two at-large members from the City of Santee, one resident of the City and one City Council Member, both appointed by the Mayor with the approval of the City Council; one representative each from the Santee School District; Santee Chamber of Commerce; Lakeside Fire Protection District; Lakeside Planning Committee; Lakeside Chamber of Commerce; Lakeside Union School District, East County Fire Protection District, and Grossmont Hospital District.

Representatives: *Council Member:* Randy Voepel, Mayor  
*Alternate* John Minto, Council Member

*Resident:* Warren H. Savage, Jr.  
10331 Settle Road  
Santee, CA 92071  
(619) 258-1478

*Appointed:* 01/24/96

Reference Dates: 11/22/82 [Council Minutes], 09/04/85 [Resolution 175-85] re change in membership, 11/25/85 [Notice of Committee Vacancy-two (2) members-at-large; pending County action]. 12/18/85 [Council Minutes] re resident appointment and reaffirming Council Member Gallardo's representation.

Reappointed: 01/28/87, 02/01/89, 01/24/90, 01/23/91, 01/22/92, 11/30/92, 01/13/93, 02/10/93, 01/26/94, 12/06/94, 01/25/95, 01/24/96, 01/22/97, 01/28/98, 01/27/99, 01/26/00, 01/24/01, 01/23/02, 02/14/01, 2/12/03, 1/28/04, 1/26/05, 1/25/06

**CSA-69 (Paramedics) Continued:**

Contact Person: Mark Lindstrom, Administrative Analyst III

Address: San Diego County Health and Human Services Agency  
Emergency Medical Services  
6255 Mission Gorge Road  
San Diego, CA 92120-3599

Phone: (619) 285-6559

Meetings: Meetings are held on the second Thursday of the month quarterly or as needed basis at the Lakeside Fire Protection District Administrative Facility, 12365 Parkside Street, Lakeside.

Staff Assistance: Fire Department

**MINORITY BUSINESS ENTERPRISE PROGRAM**

Qualifications: Position-specific.

Term: Not specified.

Representative: Director of Development Services as City of Santee's Minority Business Enterprise Liaison Officer.

Contact Person: Carol Jeffries, DBE Coordinator  
Address: Local Assistance, Cal Trans District 11 Office  
4050 Taylor St.  
MS 132  
San Diego, CA 92110  
(619) 220-5406

Reference Date: 04/12/82 [Resolution 21-82]

Appointment: 02/01/89, 01/24/90, 01/23/91, 01/22/92, 11/30/92, 01/13/93, 02/10/93, 01/26/94, 12/06/94, 01/25/95, 01/24/96, 01/22/97, 01/28/98, 01/27/99, 01/26/00, 01/24/01, 01/23/02, 2/12/03, 1/28/04, 1/26/05, 1/25/06

**UNIFIED SAN DIEGO EMERGENCY SERVICES ORGANIZATION**

Address: Office of Disaster Preparedness  
5555 Overland Avenue, Building 19  
San Diego, CA 92123

Contact Person: Dawn Kay

Phone: (858) 565-3490

**Disaster Council**

Qualifications: Position-specific.

Term: Not specified.

Representatives: Randy Voepel, Mayor, as Chairperson; Keith Till, City Manager, as Director of Emergency Services; and Richard Mattick, Division Chief, as Assistant Director of Emergency Services.

Appointment: 10/26/81 [Council Minutes], 11/09/81 [Ordinance 35].

Reappointment: 02/01/89, 01/24/90, 01/23/91, 01/22/92, 11/30/92, 01/13/93,  
02/10/93, 01/25/95, 01/24/96, 01/22/97, 01/28/98, 01/27/99,  
01/26/00, 01/24/01, 01/23/02, 2/12/03, 1/28/04, 1/26/05, 1/25/06

**MEETING DATE**     January 24, 2007

**AGENDA ITEM NO. 5A**

**ITEM TITLE**             **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE,  
CALIFORNIA AUTHORIZING THE EXECUTION OF AN EASEMENT  
FOR POWER LINES AND POLES TO SAN DIEGO GAS & ELECTRIC  
COMPANY FOR THE GOODAN RANCH PROJECT**

**DIRECTOR/DEPARTMENT**             John W. Coates, Community Services

**SUMMARY**

At the Jan 10, 2007 City Council meeting, staff was asked to address certain concerns of Council regarding the proposed relocation of a 12-foot wide utility easement with San Diego Gas & Electric Company at Goodan Ranch. Council's concerns were based on SDG&E's ability to increase the capacity and size of the power line within the easement.

Upon further review, the City Attorney has concluded that the proposed easement does not alter SDG&E's existing rights pertaining to the installation of facilities in the future. Alternative language that would place special restrictions on this particular property has not received approval by SDG&E. The easement will also convey the right to install additional facilities and to increase the capacity of facilities located within the easement area in the future.

The proposed easement as presented places the same restrictions and gives SDG&E the same rights as found in the existing easement. As such, the proposed 12-foot wide easement does not grant any greater rights to SDG&E than it had under the original easement. It is intended to realign the power line so that it does not intersect with the new building. Thus, although the City Attorney has concluded that while legally SDG&E's right to install higher capacity lines exist, as a practical matter, the size of the easement will effectively limit the type of facilities they could install. Attached for Council's review is a rendering outlining the proposed realigned easement.

**FINANCIAL STATEMENT**             N/A

**RECOMMENDATION**     Adopt the attached Resolution authorizing the City Manager to execute said easement.

**ATTACHMENTS (Listed Below)**

Resolution authorizing City Manager to execute Easement  
Easement and Diagram depicting realigned easement area  
(Diagram is available for review at the City Clerk's Office.)

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA,  
AUTHORIZING THE EXECUTION OF A 12 FOOT WIDE EASEMENT FOR POWER LINES  
AND POLES TO SAN DIEGO GAS & ELECTRIC COMPANY FOR THE GOODAN RANCH  
PROJECT**

**WHEREAS**, the Cedar Fire caused great destruction at the Goodan Ranch Regional Park, destroying the original ranch house and other facilities; and

**WHEREAS**, the four owners of Goodan Ranch, the State of California, County of San Diego, City of Poway, and City of Santee, have developed a final conceptual plan for the restoration of Goodan Ranch which includes the construction of a new facility at a new location in close proximity to the original ranch house; and

**WHEREAS**, in order to provide electrical service to the new location a power pole and line must be relocated and San Diego Gas and Electric is requesting a realigned 12 foot wide easement to cover the installation and maintenance of the relocated power pole and line; and

**WHEREAS**, this realigned 12 foot wide easement is substantially identical in form to the existing 12 foot wide easement for power facilities recorded by prior owners of Goodan Ranch Regional Park,

**NOW THEREFORE BE IT RESOLVED**, by the City Council of the City of Santee, California, as follows

**Section 1.** The City Council hereby authorizes the City Manager of the City of Santee to execute an easement on behalf of the City, in substantially the form of the attached Easement, granting certain rights to San Diego Gas & Electric Company for the installation and maintenance of electric power facilities.

**ADOPTED** by the City Council of the City of Santee, California, at a Regular Meeting thereof held this \_\_\_\_\_ day of \_\_\_\_\_, 2007, by the following roll call vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

**APPROVED**

\_\_\_\_\_  
**RANDY VOEPEL, MAYOR**

**ATTEST**

\_\_\_\_\_  
**LINDA TROYAN, CITY CLERK**

Recording Requested by  
San Diego Gas & Electric Company

When recorded, mail to:

San Diego Gas & Electric Company  
8335 Century Park Court, Suite 100  
San Diego, CA 92123-1569  
Attn: Real Estate Records - CP11D

SPACE ABOVE FOR RECORDER'S USE

Project No.: 543891-020  
Const. No.: 2862900  
A.P.N.: 325-020-01  
Sketch# **G-2344**

Transfer Tax None  
SAN DIEGO GAS & ELECTRIC COMPANY

### EASEMENT

STATE OF CALIFORNIA; COUNTY OF SAN DIEGO; CITY OF POWAY; CITY OF SANTEE, (Grantor), grants to SAN DIEGO GAS & ELECTRIC COMPANY, a corporation (Grantee), an easement and right of way in, upon, over, under and across the lands hereinafter described, to erect, construct, change the size of, improve, reconstruct, relocate, repair, maintain and use facilities consisting of:

1. Poles, wires, cables and appurtenances for the transmission and distribution of electricity.
2. Communication facilities, and appurtenances.

The above facilities will be installed at such locations and elevations upon, along, over and under the hereinafter described easement as Grantee may now or hereafter deem convenient or necessary. Grantee also has the right of ingress and egress, to, from and along this easement in, upon, over and across the hereinafter described lands. Grantee further has the right, but not the duty to clear and keep this easement clear from explosives, buildings, structures and materials.

The property in which this easement and right of way is hereby granted is situated in the County of San Diego, State of California, described as follows:

The Northeast Quarter, the West Half of the Southeast Quarter, and the Northeast Quarter of the Southeast Quarter in Section 28, Township 14 South, Range 1 West, San Bernardino Meridian.

The easement in the aforesaid land shall be more particularly described in the Exhibit "A", attached hereto and made a part hereof.



Grantor grants to Grantee the right to erect and maintain on Grantor's property adjacent to this easement such anchorage as may be necessary for Grantee's purposes.

Grantor shall not erect, place or construct, nor permit to be erected, placed or constructed, any building or other structure, plant any tree, drill or dig any well, within this easement.

Grantor shall not increase or decrease the ground surface elevations within this easement after installation of Grantee's facilities, without prior written consent of Grantee, which consent shall not unreasonably be withheld.

Grantor further grants to Grantee the right to assign any or all of the rights granted in this easement in whole or in part to other companies providing utility or communication facilities/services.

Grantee shall have the right but not the duty, to trim or remove trees and brush along or adjacent to this easement and remove roots from within this easement whenever Grantee deems it necessary. Said right shall not relieve Grantor of the duty as owner to trim or remove trees and brush to prevent danger or hazard to property or persons.

The legal description for this easement was prepared by San Diego Gas & Electric Company pursuant to Section 8730 of the Business and Professions Code, State of California.

This easement shall be binding upon and inure to the benefit of successors, heirs, executors, administrators, permittees, licensees, agents or assigns of Grantor and Grantee.

IN WITNESS WHEREOF, Grantor executed this instrument this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

**This instrument may be executed in counterparts and said counterparts together will constitute one and the same instrument.**

STATE OF CALIFORNIA

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**ADDITIONAL SIGNATURES ON THE FOLLOWING PAGE**

**This instrument may be executed in counterparts and said counterparts together will constitute one and the same instrument**

COUNTY OF SAN DIEGO

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

CITY OF POWAY

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

CITY OF SANTEE

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Drawn: Reddick  
Checked: CE  
Date: 12/5/2006

STATE OF \_\_\_\_\_ )

COUNTY OF \_\_\_\_\_ )SS.

On \_\_\_\_\_, before me \_\_\_\_\_  
\_\_\_\_\_ (name, title of officer), appeared \_\_\_\_\_  
\_\_\_\_\_.

- ☐ personally known to me  
☐ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

STATE OF \_\_\_\_\_ )

COUNTY OF \_\_\_\_\_ )SS.

On \_\_\_\_\_, before me \_\_\_\_\_  
\_\_\_\_\_ (name, title of officer), appeared \_\_\_\_\_  
\_\_\_\_\_.

- ☐ personally known to me  
☐ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

STATE OF \_\_\_\_\_ )

COUNTY OF \_\_\_\_\_ )SS.

On \_\_\_\_\_, before me \_\_\_\_\_  
\_\_\_\_\_ (name, title of officer), appeared \_\_\_\_\_,  
\_\_\_\_\_.

- ☐ personally known to me  
☐ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

STATE OF \_\_\_\_\_ )

COUNTY OF \_\_\_\_\_ )SS.

On \_\_\_\_\_, before me \_\_\_\_\_  
\_\_\_\_\_ (name, title of officer), appeared \_\_\_\_\_,  
\_\_\_\_\_.

- ☐ personally known to me  
☐ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

EXHIBIT "A"

LEGAL DESCRIPTION

THAT PORTION OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 14 SOUTH, RANGE 1 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF POWAY, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

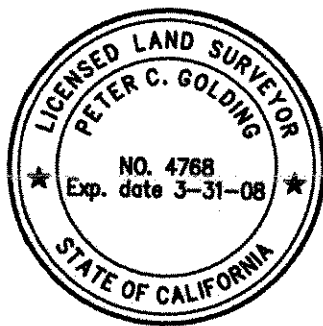
A STRIP OF LAND 12.00 FEET IN WIDTH, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 1-1/2 INCH IRON PIPE WITH CAP STAMPED "LS 2412 21 22 28 27 1962" AS SHOWN ON RECORD OF SURVEY NO. 9942, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, FEBRUARY 27, 1985, SAID MONUMENT MARKS THE NORTHEAST CORNER OF SAID SECTION 28 AND BEARS NORTH 89°37'50" EAST 2627.69 FEET (2627.42 FEET RECORD PER SAID RECORD OF SURVEY) FROM A FOUND 1-1/2 INCH IRON PIPE WITH CAP STAMPED "LS 2412 1/4 21 28 1962" AS SHOWN ON SAID RECORD OF SURVEY, SAID MONUMENT MARKS THE NORTH 1/4 CORNER OF SAID SECTION 28; THENCE SOUTH 30°18'44" WEST 2723.46 FEET TO THE **TRUE POINT OF BEGINNING** OF THE HEREIN DESCRIBED CENTERLINE; THENCE NORTH 88°09'39" WEST 216.10 FEET TO A POINT HEREINAFTER TO BE KNOWN AS POINT "A"; THENCE SOUTH 80°07'38" WEST 107.40 FEET.

ALSO: A STRIP OF LAND 4.00 FEET IN WIDTH, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT SAID POINT "A"; THENCE NORTH 88°09'39" WEST 25.00 FEET.

CONTAINING 0.089 ACRE MORE OR LESS.



*Peter C. Golding* 11-20-06  
PETER C. GOLDING DATE  
PLS 4768  
EXPIRATION DATE 03/31/2008